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THE
JAMMU AND KASHMIR PRAJA SABHA DEBATES
(Official Report)

VOLUME IV.

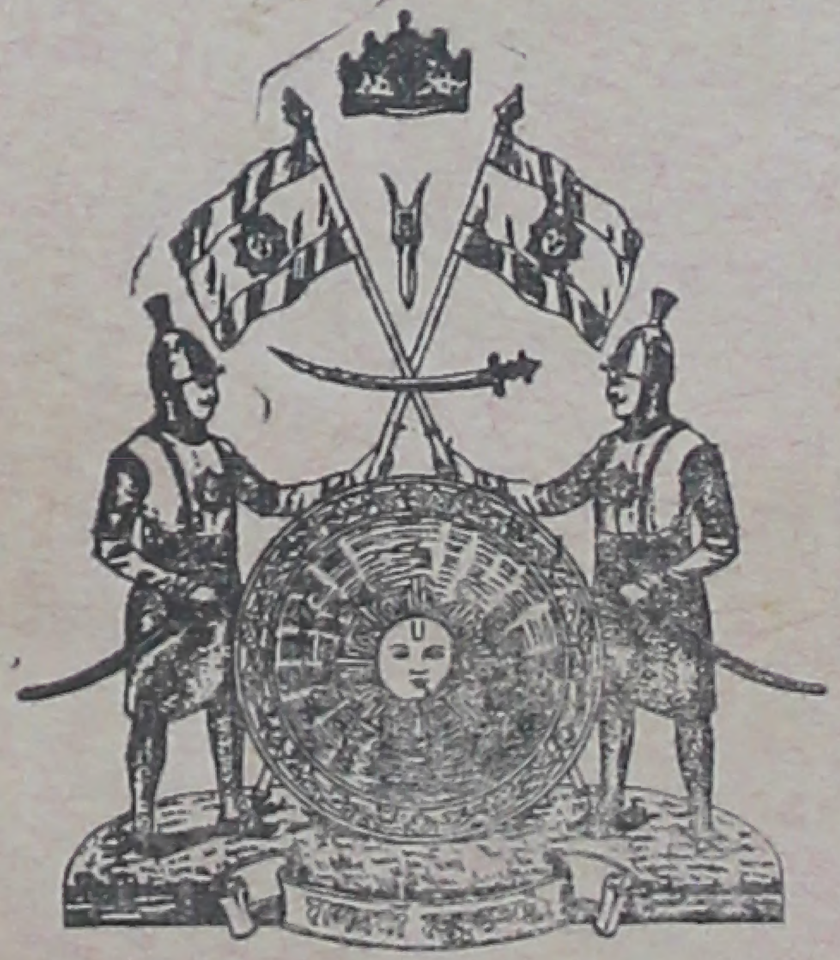
PART II

(26th March to 8th April 1936)

FOURTH SESSION

OF THE

FIRST J. & K. PRAJA SABHA.



JAMMU:

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JAMMU AND KASHMIR PRAJA SABHA.

Thursday, the $\frac{\textit{26th March 1936.}}{\textit{14th Chet 1992.}}$

The Praja Sabha met in the Praja Sabha Chambers in the Pink Hall Jammu at Eleven of the Clock. Mr. President (The Hon'ble Sir Barjor Dalal Kt.) in the Chair.

Pandit Ramchandra Razdan, State Councillor, was sworn in.

QUESTIONS AND ANSWERS.

379. SARDAR BUDH SINGH (Mirpur-Poonch :Sikh) : (*a*) Is it a fact that there is no X-Ray or Dentistry apparatus or a Dentist in the Saddar Hospital Poonch?

(*b*) If the answer be in the affirmative, is their provision not necessary?

(*c*) Has Wazir Poonch ever inspected the Saddar and the Mofassil hospitals and enquired what their requirements with regard to medicines or equipments are and what provisions there exist as regards the facilities, medicines etc., especially for in-door patients and the condition of the building?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) There is a Dentistry attached to the Saddar Hospital under a qualified Dentist with necessary equipment. There is no X-Ray apparatus.

(*b*) The question of providing X-Ray apparatus will receive consideration as soon as funds permit.

(*c*) Yes.

SARDAR BUDH SINGH : Is the Doctor's appointment permanent or temporary?

WAZIR FEROZ CHAND (Wazir of Poonch) : It is permanent.

SARDAR BUDH SINGH : Has he to work for four hours only?

WAZIR FEROZ CHAND : Yes, for four hours only.

SARDAR BUDH SINGH : Has the apparatus regarding the Dentistry been provided there or not. I believe it has not been provided there.

WAZIR FEROZ CHAND : Yes, the apparatus has been provided there.

SARDAR BUDH SINGH : You have stated that when the funds will permit, the X-Ray apparatus will be provided there. Is it not an imperative necessity to provide there an X-Ray apparatus as early as possible? Further you have stated that the hospital has been inspected by you. I have visited the patient's ward and have found that there is no arrangement for keeping the room warm. The room being extremely cold the cots of the patients remain very cold.

WAZIR FEROZ CHAND : However, I have inspected the hospital and the in-door patients too.

380. SARDAR BUDH SINGH : (*a*) Will Government please state the total amount of realization from the duty levied on the goods imported from the State into Illaqa Poonch during the last five years and the principal articles on which it was levied?

(*b*) Is it a fact that there are articles liable to an export duty in the State and an import duty in Poonch?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The total amount of duty realized on goods imported from the State is approximately as follows :—

		Rs.
1987-88	...	7,611
1988-89	...	5,494
1989-90	...	4,936
1990-91	...	4,761
1991-92	...	5,732

The main things imported into Poonch from the State are (*i*) cattle, (*ii*) pulses, (*iii*) fruits and (*iv*) ordinary cloth.

(*b*) Export duty is levied by the State on fruits, ghee, almonds, potatoes, grain and pulses, oil-seeds, hides and skins and raw wool alone. On entering the Illaqa they are liable to duty in accordance with the local customs tariff.

SARDAR BUDH SINGH : Is it proper on the part of the Government to charge the import duty on bullocks and buffaloes that are brought in the Poonch Illaqa from a distance of a few miles from the State?

THE HON'BLE MR. WAJAHAT HUSSAIN (Leader of the House) : That is a matter of opinion.

381. SARDAR BUDH SINGH : (*a*) Do Government know that the cultivated holdings of zamindars in snowy and hilly tehsils are very small and inferior and they often feel the need for reclaiming waste?

(*b*) If the answer be in the affirmative, will Government please order the mutation of all such *Nautor* areas in favour of the cultivators thereof?

(*c*) Is it a fact that it is merely through the indulgence of the Patwaris towards the *Nautor* cultivators that they, inspite of the order for their ejectment continue to be in the possession of *Nautor* areas and enjoy the produce from them without payment of any land-revenue.

(*d*) If it be a fact, is it not proper to sanction the mutation of those *Nautor* areas in their favour instead of compelling cultivators to tip the Patwaris every harvest and thus causing loss of Government revenue when they actually need those areas and their ejectment is impracticable?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM :: (*a*) Yes, generally.

(*b*) This can be done under rules only. *Nautors* prior to *Kharif* S. 1982 have already been sanctioned as one of the Raj Tilak Boons. *Shamilat* upto cent. per cent. of cultivated area have also been conferred to afford scope for extension of cultivation.

(*c*) The Government have no knowledge. If specific instances are cited, suitable action will be taken against the defaulting Patwaris.

(*d*) The Government cannot countenance the unlawful acts of zamindars, especially as facilities have already been afforded for extension of cultivation (*vide* part '*b*' above).

SARDAR BUDH SINGH : Particularly in 1990 "*Nautor*" has

been allowed in Ladakh. Are not Kishtwar and Bhadarwah snowy regions like this?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The conditions in Kishtwar and Bhadarwah are not similar to those in Ladakh.

SARDAR BUDH SINGH : This is a general complaint throughout the State, and there are thousands of complaints regarding such *Nautors*. Patwaris being at all places in the State only one instance would not suffice. You should please get the list of all such *Nautors*.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : All lands reclaimed before the year 1982 have been allowed but the Government is not prepared to allow those which have been acquired after 1982, where the people by using unfair means and arranging with the Patwaris have acquired and taken possession of *Nautors* are severely dealt with if any thing against them is brought to the notice of the Government.

SARDAR BUDH SINGH : The practice is in vogue in all the tehsils.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It will be noted down.

382. SARDAR BUDH SINGH : (*a*) Are Government aware that Kud is a famous and pleasant place and is a Parao and summer resort of many visitors but there is no Telegraph office?

(*b*) If it be true, will Government please provide a Telegraph office at Kud in the interests of comfort and convenience of the public especially the visitors and passengers?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) Yes, but not immediately.

SARDAR BUDH SINGH : When can this be expected?

THE HON'BLE MR. WAJAHAT HUSSAIN : No promise can be made.

SARDAR BUDH SINGH : The Government will also be benefited thereby.

THE HON'BLE MR. WAJAHAT HUSSAIN : Certainly.

383. MOULVI MOHAMMAD ABDULLA (Shah Hamdan, Srinagar City :Muslim) : (*a*) Is it a fact that in Kashmir, spare shali remains unsold with common zamindars of villages besides the Jagirdars and Chakdars which they cannot sell in the city?

(*b*) If the answer to (*a*) be in the affirmative is it a fact that thereby the rate of shali in villages falls so low that common zamindars suffer loss?

(*c*) If the answer to (*b*) be in the affirmative what measures do Government intend to adopt to protect the poor zamindars from this loss?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No. The great majority of *Assamis* producing shali have little or no surplus stocks after delivering the amount due to the Kashmir Valley Food Control for which they have been paid advances and after providing for their own seed and family requirements. Those who have surplus stocks after meeting their own commitments and requirements will find a market for it other than in Srinagar by sale to those having no shali producing land or insufficient land as explained in the answer given to question No. 81. These *Assamis* having no shali lands naturally benefit greatly from the present lower price levels.

(*b*) and (*c*) In view of the reply given to part (*a*) of the question replies to parts (*b*) and (*c*) do not arise.

MOULVI MOHAMMAD ABDULLA : Those who get at cheaper rates are benefited but what would be the condition of those who suffer on account of the rates being cheaper.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Grain will be sold at the rates calculated in accordance with the principle of supply and demand.

MOULVI MOHAMMAD ABDULLA : We know this already. My question was that the zamindars cannot sell their grain in Srinagar markets and hence they suffer loss. How would they be recompensated for the loss. Excepting the Jagirdars and Chakdars no one can sell his grain.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The surplus of the zamindars is bought by the zamindars who have lesser holdings and no paddy fields.

KHAWAJA GHULAM MOHAMMAD SADIQ : I want to ask one supplementary question. Will the Hon'ble Minister please give figures regarding the total quantity of the produce of the Kashmir Valley?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This is a new question.

384. MOULVI MOHAMMAD ABDULLA : Will Government please state the number of such dispensaries in Jammu Province as have only one Compounder each? How many of such Compounders are Muslims and how many non-Muslims?

THE HON'BLE MR. WAJAHAT HUSSAIN : There are 27 dispensaries in Jammu Province in each of which only one Compounder is working. All these 27 Compounders are non-Muslims.

385. MOULVI MOHAMMAD ABDULLA : (*a*) Is it a fact that Government have appointed Hakims and Vaids for treatment at Rs. 25 per mensem each?

(*b*) If the answer to (*a*) be in the affirmative, will Government please state how and of what experience the Hakims and Vaids were selected?

(*c*) How is the work of these Hakims and Vaids being supervised and inspected?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) No. Only aid is given.

(*b*) Aid has been given to experienced Hakims selected after inviting applications through advertisement.

(*c*) The aid is given on production of a certificate from the Tehsildar of the Illaqa that the Hakim or Vaid has been working at the place assigned to him throughout the month.

MOULVI MOHAMMAD ABDULLA : What I enquired was as to what procedure was adopted in selecting them. Were they made to undergo a test to ascertain that they are not quack or is it merely on the report of the Tehsildar that their appointments have been made?

THE HON'BLE MR. WAJAHAT HUSSAIN : They have been examined by the Director of Medical Services. The Tehsildar certifies the fact that they are discharging their duties at their places.

Moulvi Mohammad Abdulla : My question was as to how is their work supervised. Is certificate granted on the merit of their work?

The Hon'ble Mr. Wajahat Hussain : Arrangements have been made for this. The Director of Medical Services will inspect their work when on tour.

386. Moulvi Mohammad Abdulla : (*a*) Is it a fact that under Raj Tilak Boon No. 4, dated the 25th February 1926, there are words in the commands of His Highness to the effect that "the concerned villagers will have the same rights in such *Shamilat* area, as they have in their own respective *Khatas*" (*vide* Press Note published by the Government)?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that it is evident from the words of the commands of His Highness that the "concerned villager" means a person who is the inhabitant of the village and owns a *Khata* as such and that this is the definition of the concerned villager?

(*c*) If the answer to (*b*) be in the affirmative is it a fact that it is wrong to give the words "concerned villager" a new definition repugnant to the words of His Highness?

The Hon'ble Rai Bahadur Pandit Anant Ram : (*a*) Yes.

(*b*) No. The Government has repeatedly announced and made clear in the Press Note referred to by Member Praja Sabha that the concession was intended for all persons who had acquired *Assami* rights in the village prior to the date of conferment of the boon *viz.* *Kharif* 1982.

(*c*) Does not arise.

Moulvi Mohammad Abdulla : This is not my question. My question is whether the definition given in the Notification issued by His Highness the Maharaja Bahadur is correct or not?

The Hon'ble Rai Bahadur Pandit Anant Ram : This has been replied to in (*b*) part of the question.

Moulvi Mohammad Abdulla : Does it not contravene the definition given in the Notification of His Highness the Maharaja Bahadur?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This amounts to a discussion. It has been expressly dealt with in the Press Note. Except the land-owning proprietors of the villages no other inhabitants of the villages come within its purview. According to the subsequent Notification, His Highness the Maharaja Bahadur has commanded that each village inhabitants should be entered as *'Assami Deh'*.

MOULVI MOHAMMAD ABDULLA : I do not want to discuss. The villagers have been defined in the Press Note. I wanted to enquire only about the definition contained in the Notification issued by His Highness the Maharaja Bahadur.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You are cross-questioning. You want that the reply should be given what you desire.

MOULVI MOHAMMAD ABDULLA : I do not want to get anything according to my desire. I want to know whether the words which are included in the *"Irshad"* of His Highness the Maharaja Bahadur have been defined on behalf of His Highness the Maharaja Bahadur.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Ask questions. This is all discussion.

MOULVI MOHAMMAD ABDULLA : In brief I want to ask you whether definition given by His Highness the Maharaja Bahadur has been included in it or not? The Press Note contains the definition made by them.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This is not a question.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Your question has already been replied.

387. MIAN AHMED YAR : (*a*) Will Government please state that in the presence of the Criminal Procedure Code, what necessity was felt to issue circulars and orders contrary to the provisions of the Criminal Procedure Code or otherwise ; such as the order that in the case of punishment the records should not be sent to the Appellate Court and in the case of acquittal they should be sent to the higher court and that certain cases should be tried by officers of the complaining departments?

(*b*) Are Government, for the sake of separating the Executive from the Judiciary and for the sake of justice, prepared to abrogate these circulars and orders?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : Two orders are quoted :—

1. that in the case of punishment records should not be sent to the appellate court and

2. that in the case of acquittals they should be sent to the higher court.

Both the orders were definitely passed for purpose. Large amount of expense was incurred by records being sent to the appellate courts without necessity, so an order was issued that the records need not be sent until an appeal is filed.

In case of acquittals, in departmental cases only it is ordered that the records shall be sent to the Chief Justice so that the Chief Justice may issue directions to the departments to see that false cases are not prosecuted and that people are not put to trouble in cases where there is no evidence and which result in acquittal.

Similarly if any other circular is referred by the member the Judicial Minister will be prepared to give an explanation in or out of the Praja Sabha.

(*b*) Attention of the member is drawn to the reply given to Q. D. No. 75 in the last session of the Praja Sabha regarding the last portion of the question. The Judicial Minister believes that both the orders referred to above are salutary and will therefore not cancel them.

MIAN AHMED YAR : Sir, no copy has been placed on our tables.

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : It has just been handed over to the Secretary. Has he not placed it on your table?

MIAN AHMED YAR : Yes. It has not been supplied.

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : Secretary, where is the Assistant Secertary? Has he not placed the copy of the answer on the table of the Praja Sabha Sad.

PANDIT HIRA NAND RAINA (Secretary Praja Sabha) : I am going to read it out.

MIAN AHMED YAR (Muzaffarabad :Muslim) : May I ask why

the files of those innocent people are not sent up and why it is not permitted to do so?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : When an appeal is filed the files are sent for, but when no appeal is filed it is no use sending for the files. We consider it futile. It is useless to undergo unnecessary expenditure in sending for the files. When an appeal is filed, the concerned files are automatically sent for by the appellate court.

388. MIAN AHMED YAR : (*a*) Will Government please state whether rules have been framed regarding the election of Town Area Committees?

(*b*) If the answer to (*a*) be in the negative, when will such rules be framed and introduced?

(*c*) When will the members of these Committees be elected instead of being nominated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The rules are under consideration.

(*b*) They are expected to be framed during this year.

(*c*) Elections in accordance with the provisions of the Town Area Regulation will take place as soon as rules are sanctioned.

389. MIAN AHMED YAR : (*a*) Will Government please state whether complaints have been received from the Motor Drivers' Union, Rawalpindi against the Dharat Contractors of Baramulla regarding unlawful charge of "Dharat" from the drivers of lorries and motors?

(*b*) If the answer to (*a*) be in the affirmative, what action has so far been taken on these complaints?

(*c*) Is this also a fact that in the said complaint, it was stated against the President of the Town Area Committee that while realizing Dharat he intimidates the drivers?

(*d*) If the answer to (*c*) be in the affirmative, it may please be stated what action has been taken on this complaint.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No.

(*b*),(*c*) and (*d*) Do not arise.

Dharat has been levied in Town Areas lawfully under the Town Area Regulation.

390. MIAN AHMED YAR : (*a*) At what rate is road-toll charged on the roads—Banihal Cart Road from Srinagar to Suchetgarh and Jhelum Valley Road from Srinagar to Kohala—respectively and why is the road-toll charged at the same rate on both these roads when there is so much difference in their respective length?

(*b*) What has been the income to the State from these roads respectively in the years 1990 and 1991?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) The rate of road-toll for through traffic on the Jhelum Valley Road and Banihal Cart Road is the same *viz* :—

		Rs.	a.	p.
1.	Camel ...	1	0	0
2.	Donky ...	0	4	0
3.	Bullock, Buffalo, Pony or Mule ...	0	8	0
4.	Bicycle ...	0	10	0
5.	Vehicle drawn by one and two bullocks ...	0	8	0
6.	For every additional bullock ...	2	0	0
7.	Vehicle drawn by one pony or mule ...	3	0	0
8.	„ „ „ two ponies or 2 mules...	5	0	0
9	For every additional pony or mule over two	2	0	0
10.	Motor Cycle ...	3	0	0
11.	Motor Cycle with side car ...	5	0	0
12.	Motor Car carrying not more than 3 passengers (excluding chauffeur) ...	10	0	0
13.	For every extra passenger over 3 ...	2	0	0
14.	Trailer attached to motor vehicle ...	6	0	0
15.	One ton or less than one ton lorry with pneumatic tyres ...	20	0	0

			Rs.	a.	p.
16.	One ton or less than one ton lorry with solid tyres	...	25	0	0
17.	1½ ton lorry with pneumatic tyres	...	30	0	0
18.	„ „ „ „ solid tyres	...	35	0	0
19	Motor or steam tractor	...	40	0	0

The length of road is not the only consideration in this respect. A uniform rate of road-toll is among other reasons charged to popularise the Banihal Cart Road and thereby develop trade and traffic by that route.

(*b*) Figures of income from road-toll are as under :—

...	1989-90.	1990-91.
B. C. Road ...	2,20,388	2,52,499
J. V. Road ...	7,36,107	7,43,932

MIAN AHMED YAR : Sir, the reply has absolutely no bearing on what I enquired. I wanted to know the distance from Srinagar to Suchetgarh and from Srinagar to Kohala.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The distance is nearly equal.

MIAN AHMED YAR : No, Sir. The distance is not equal. I can show that Srinagar is at a distance of 232 miles from Suchetgarh and the distance from Kohala to Srinagar is 132 miles. It may please be stated as to why inspite of so much difference between the distances the road-toll charged is equal.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : An equal amount is charged with a view to popularize it.

391. KHAWAJA ALI MOHAMMAD (Fatehkadal, Tenkipura, Srinagar City :Muslim) : (*a*) Will Government please state whether any concessions are allowed by the Government to the fruit traders?

(*b*) If the answer be in the negative, will Government afford concessions to the fruit traders similar to those which are allowed to matches factory, soap factory etc?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No.

(*b*) The matter has been recently discussed in the Standing Committee for Agriculture for affording facilities to the Fruit Industry and the recommendations of the Standing Committee for Agriculture are receiving attention of the Government.

392. KHAWAJA ALI MOHAMMAD : Is it a fact :—

(*a*) That the amount of octroi duty levied on the fruit in transit to the Punjab imported from the Southern Wazarat into Srinagar Municipal limits is kept in deposit?

(*b*) That this octroi duty is refundable only if the fruit is conveyed out of the Municipal limits within 14 days?

(*c*) That there is no godown for storing fruit outside the Municipal limits?

(*d*) That in order to save themselves from loss the fruit traders sometimes have to look to the trend of the Punjab market and export fruit in small quantities?

(*e*) If the answer to (*a*), (*b*), (*c*) and (*d*) be in the affirmative is it possible for the traders in such circumstances to convey fruit out of the Municipal limits within 14 days? If not, will Government extend this period for refund from 14 days to two months? If not, why not?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : While the Banihal pass is opened, fruit from the Southern Wazarat are exported via the Banihal Cart Road and have no occasion to come to Srinagar. When this road is closed the fruits from the Southern Wazarat are transported *via* the Jhelum Valley Road to Rawalpindi and in this case they have to pass through Srinagar. If it be a fact, as stated in (*d*) "that in order to save themselves from loss the fruit traders sometimes have to look to the trend of the Punjab market" it is as easy for them to watch that trend without bringing fruits first to Srinagar and then exporting them to Pindi, and much less costly, as in the one case they have to load goods only once while in the other case they have to do it twice. Octroi duty is refundable if goods are exported within three months and not only if they are exported within 14 days.

KHAWAJA ALI MOHAMMAD : The necessity of bringing the fruit to Srinagar is felt on account of the non-availability of the con-

veyance during the snowfall and if apples are stored in the villages, it will be impossible to import them in Srinagar when village roads are blocked by the rains and snowfall.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.): Are you delivering speech?

KHAWAJA ALI MOHAMMAD : No, Sir. I am putting questions.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I find nothing like a question in it.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Wherefrom it becomes impossible to import the fruit in Srinagar.

KHAWAJA ALI MOHAMMAD : Sir it becomes impossible to import fruit into Srinagar from the villages.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : It is only that Jammu and Kashmir road is blocked. The roads to Srinagar city always remain passable. The fruit is never stored in the villages. It is always stored on the road sides hence it can easily be removed to Srinagar.

MIRZA M. A. BEG (Anantnag :Muslim) : Do not the Government realize that in view of the conditions of demand for fruits in the markets of the Punjab it is essential that the fruit may be stored up and supplied from Srinagar.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The period for refund is three months and not fourteen days as has been given in the question. They can store the fruit in Srinagar if they so desire. There is enough of time and refund can be made easily.

393. KHAWAJA ALI MOHAMMAD (Fatehkadal, Tenkipura, Srinagar City :Muslim) : Will Government please state :—

(*a*) The number of cases filed in court by the Srinagar Municipality for breach of its bye-laws in 1935, the number of cases that were successful and the number of those that failed and the amount of fine realized by the Municipality and

(*b*) The number of cases out of the successful and unsuccessful ones brought against the Muslims and the number

of those brought against non-Muslims?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Cases filed in court during 1935=4,799, successful including those compromised=2,902. Failed for absence of offenders and other causes=1,322. Fines and compounding fees realised =Rs. 8,179.

(*b*) *Khilafwarzi* registers are not maintained by committees.

KHAWAJA ALI MOHAMMAD : Sir, my question was as to what was the number of the successful and un-successful cases brought against the Muslims and the Hindus.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : We have not maintained two registers for entering the names of the Muslims and the Hindus separately.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Then Sardar Kanhaya Singh would also enquire the number of the Sikhs and would ask reason as to why the names of the Sikhs have not been put down separately.

394. KHAWAJA ALI MOHAMMAD : (*a*) Will Government please state whether the Municipality has removed those defects which came to the notice of the Hon'ble Minister-in-charge Municipalities during his tour of the Srinagar city last year?

(*b*) If the answer be in the negative, will Government please state why all those defects have not been so far removed and why the Municipality is negligent in putting the Srinagar city in order?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Repair works numbering 59 have been executed. Original works are in hand. Big projects are proposed to be taken up as quickly as possible as funds and circumstances permit.

(*b*) Does not arise.

395. MIRZA M. A. BEG (Anantnag :Muslim) : (*a*) What amount was realised from the zamindars in the Anantnag, Kulgam and Pulwama Tehsils for the reconstruction of tri-junction pillars?

(*b*) What was the value of contracts given to the tenderers for this work in each tehsil?

(*c*) If the amount in (*a*) exceeds that in (*b*) will the excess be refunded to the zamindars or utilized for their welfare?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM :—

		Rs.
(*a*) Anantnag Tehsil	...	8,614
Kulgam „	...	9,574
Pulwama „	...	11,444
(*b*) Anantnag at Rs	30 % less.	
Kulgam „	9 „ „	
Pulwama „	7 „ „	

(*c*) Out of savings, charges for carriags of pillars from the ghats to the villages concerned have still to be met. The actual expenditure on this account cannot be forecasted and it is therefore not possible to determine the actual savings. These savings, will, however, be trifling and in realizing their refund, the time, expense and labour that would be involved would be out of all proportions to the actual benefit that would be derived by the zamindars individually. The Governor of Kashmir is, however, being asked that in case of savings he may consult the local zamindars as to how they would like to dispose of the surplus or whether they would like its return.

396. MIRZA M. A. BEG : (*a*) Will Government please state whether a file for an increase in the reward to Kh. Ahadwani, Zaildar Akangam, Tehsil Anantnag was prepared in 1984 and has not been so far completed?

(*b*) If it has not been so far completed, what are the reasons for it?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) *1st part.*—No. The file started in S. 1986 and not S. 1984.

2nd part.—Yes.

(*b*) The increase in the Inam of the Zaildar was proposed to be met from savings accruing from vacancies amongst Safedposhes

caused by the deaths of last holders. As, however, owing to changed political conditions in the country and as a result of experience gained from the late disturbances, His Highness' Government had under consideration the future policy to be followed in the State as regards the retention or otherwise of the Safed-poshi posts and multiplying the number of Zaildars, Khawaja Ahadwani's case was kept pending till the evolving of the future policy in the matter.

397. MIRZA M. A. BEG : (*a*) Are Government aware that the Government building in which the Police Training School, Anantnag, was housed, has much more accommodation than required for the purpose for which it is being used at present?

(*b*) Have Government any objection if the Tehsil, Wazarat and the Munsiff's court be transferred to this building?

(*c*) Are Government aware that the transfer of these courts to the said building will greatly add to the convenience of the litigants?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) The building is insufficient for the Police, Tehsil, Wazarat and Munsiff's offices but the question of placing the available rooms at the disposal of other Government Departments is at present under consideration.

MIRZA M. A. BEG : Has the Hon'ble Home Minister visited the place himself?

THE HON'BLE MR. WAJAHAT HUSSAIN : I have not visited it but I have received a report. When I shall go to Srinagar I shall visit it myself as well.

398. MIRZA M. A. BEG : (*a*) Have Government realized land-revenue from the zamindars for the land acquired from them for Pahalgam (Anantnag) Camping ground after the acquisition thereof? If so, why?

(*b*) If the answer to (*a*) be in the affirmative, will the land-revenue thus realized be refunded to them? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) These dars to be encroacheed upon by visitors or shopkeepers. Land-dars to be encroached upon by visitors of shopkeepers. Land-revenue recovery therefore, continued to be made.

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(*b*) Last year the acquisition was regularised, compensation paid and orders for refund of land-revenue to zamindars issued.

MIRZA M. A. BEG : I ask whether it will be complied with?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Orders are always issued for compliance.

MIRZA M. A. BEG : It has not been complied with. Will the Hon'ble Revenue Minister have it complied and enquired as to why the same has not so far been complied with?

THE HON'BLE MR. WAJAHAT HUSSAIN (Leader of the House) : Yes.

399. MIAN QURBAN AHMED (Kathua :Muslim) : (*a*) Is it a fact that the court of Munsiff for the district of Kathua is located at Samba?

(*b*) If the answer be in the affirmative, is it not a great inconvenience to travel 25 miles for instituting a suit for Rs. 5?

(*c*) Are Government in order to remove this difficulty prepared to invest the Tehsildars with these powers? If not, why?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : The reply to the first part of the question is in the nagative.

(*b*) and (*c*) Do not arise.

The district of Kathua consists of 3 Tehsils :— (1) Kathua, (2) Basohli, (3) Hiranagar.

The Sub-Judge for Kathua District exercises powers of a Munsiff for Kathua Tehsil.

The Tehsildar of Basohli exercises powers of a Munsiff upto Rs. 100 for Basohli Tehsil and cases above the value of Rs. 100 are heard by the Sub-Judge Kathua.

The cases of Hiranagar Tehsil are heard by Munsiff Samba. Hiranagar adjoins Samba and no difficulty is felt by the people of Hiranagar for going to Samba. There is a motor road running between the two tehsils. The questions (*b*) and (*c*) are therefore based on want of information.

PANDIT RAM CHANDRA DOBEY : Cannot the Tehsildar of Jasmergarh be invested with the powers of a Munsiff like that of the Tehsildar of Basohli?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : This question is under consideration.

400. MIAN QURBAN AHMED : (*a*) Is it a fact that the cases regarding customs duty are tried by the officers of the Customs Department themselves?

(*b*) If the answer to (*a*) be in the affirmative, will Government please state what a great inconvenience and loss the public has to undergo?

(*c*) Are Government prepared to transfer such cases from the Customs Department to the Revenue and Judicial Departments? If not, why?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) No. The provisions of the State Customs Regulation and the powers exercised there-under by Customs officers are similar to those of Indian Sea Customs Act but the latter is very much more stringent in regard to penalties than the State Regulation.

(*b*) Government have no reason to suppose that these powers are being exercised in a manner so as to do injustice to the public and it is not a fact that innumerable complaints have been received in this respect. Whenever a specific complaint has come to notice it has as far as possible been promptly investigated.

(*c*) Does not arise.

401. MAJOR MIRZA ATTA MOHAMMAD (Reasi :Muslim) : Will the Hon'ble Revenue Minister please state :—

(*a*) If the Forest Department has changed its previous method of selling the chil trees in the Tehsils of Reasi District and has marked the trees according to the classification of "Chaks" and orders have been issued to sell the trees from these "Chaks" and

(*b*) that it is almost a year since this new method has been adopted? Will the Hon'ble Revenue Minister please state how many trees have been purchased by the zamindars since the adoption of this method? What

sum by way of income per tehsil has been paid into the Treasury and what was the income before the adoption of this method?

(*c*) Do Government intend to restore the old method of selling chil trees?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No.

(*b*) and (*c*) Do not arise.

402. MAJOR MIRZA 'ATTA MOHAMMAD : (*a*) Does the Hon'ble Home Minister know that several persons lost their lives this year during the rainy season, in Tawi Rajouri and that this happens every year on account of the absence of a bridge?

(*b*) Under such circumstances will the Hon'ble Home Minister please state when the work of the construction of the bridge over Tawi Rajouri is expected to be taken in hand?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) The member is referred to answer given in the last session to question No. 453 asked by Wazir Ganga Ram.

403. MAJOR MIRZA ATTA MOHAMMAD : (*a*) Does the Hon'ble Home Minister know that it has been ordered that every year a proper number of Primary and Lower Middle Schools be opened in Mufassils?

(*b*) Under these circumstances will Government state to what extent this order has been carried into effect in the Tehsils of District Reasi?

(*c*) Will Government redress this grievance of the zamindars by opening at least 4 Lower Middle Schools in each Tehsil in Reasi District?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) The following new schools were opened in the Tehsils

of Jammu Circle during the years 1990-91 and 1991-92.

Name of Tehsil.	*No. of schools opened during 1990-91.*		*No. of schools opened during 1991-92.*	
	Middle.	Primary.	Middle.	Primary.
1. Jammu ..	....	1	1	....
2. Akhnur ..	....	1	1	....
3. Basohli ..	....	1	....	....
4. Kathua ..	1	....	....	1
5. Ramban ..	1	....	....	1
6. Bhadarwah ..	....	....	....	1
7. Kishtwar ..	....	....	....	1
8. Rajouri ..	....	3	....	1
9. Reasi ..	....	2	....	....
10. Kotli ..	....	3	....	1
11. Mirpur ..	....	3	....	....
12. Bhimber ..	1	1	....	1
Total ..	3	15	2	7

(*c*) There are already three Middle Schools in Reasi Tehsil (Reasi, Pouni and Katra) of these two are Lower Middle Schools (Pouni and Katra). In Rajouri Tehsil there is one Middle School.

404. MAJOR MIRZA ATTA MOHAMMAD : (*a*) Does the Hon'ble Home Minister know that the Government have granted Rs. 10 per annum in case the zamindars of a village be unable to provide a rent-free house for the school? Will the Hon'ble Home Minister please state what sum, under such circumstances, has been provided for this purpose for Reasi District?

(*b*) Will the Hon'ble Home Minister please state in how many

villages rent-free house for school being not available rent has been paid by the Government?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) No. A sum of Rs. 10 per annum has been sanctioned for repairs to each rent-free house.

(*b*) The question does not arise.

405. LALA SHIV NATH NANDA : Is it a fact that Electric Department are charging two rupees per lamp as advance for new connection of lamps, though according to the rules of the Department if the fee is not paid in time a fine of annas two is charged and the Department is also authorised to disconnect the line of a defaulter? If the answer to the above be in the affirmative, will the Hon'ble Home Minister please state what is the necessity for such advance despite all these precautionary steps? Is it proper to keep such deposits of thousands of rupees of the people without allowing interest?

THE HON'BLE MR. WAJAHAT HUSSAIN : The deposit of Rs. 2 per lamp for new connections covers the lighting charges for the intervening period upto the date of disconnection and is necessary to safeguard the interest of Government revenue.

LALA SHIV NATH NANDA : Sir, I would submit that when a person fails to pay the electric dues on one date a fine of annas two per rupee is realised from him and besides this when Rs. 5 are charged for re-connection then what does the advance payment of Rs. 2 per lamp mean?

THE HON'BLE MR. WAJAHAT HUSSAIN : Two annas per lamp are charged from those who are late in making the payment. Rs. 2 are charged as precaution against any body's going away without making the payment.

LALA SHIV NATH NANDA : Ever since this fine of annas two is charged did any chance occur when the due rent has remained unpaid?

THE HON'BLE MR. WAJAHAT HUSSAIN : Human nature will ever be attended by such apprehensions.

406. LALA SHIV NATH NANDA : Is it a fact that it is laid down in rule 7 of the Electric Regulation V of 1991 that in case the officers of the Electric Department wish to inspect a house a twenty-

four hours notice should be given to the owner of the house? If the answer be in the affirmative, will the Hon'ble Home Minister please state how many complaints were made against officers, who attempted inspection without notice and what action was taken in this behalf?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes, if the electric fittings etc. belong to the consumer, otherwise at any reasonable time.

There were three complaints, two of which were dismissed by the court and one withdrawn.

407. LALA SHIV NATH NANDA : Is it a fact that in Srinagar the Electric Department has removed the limiters from the houses and has installed the same on the poles outside on the road?

If the answer to this be in the affirmative, will the Hon'ble Home Minister please state who is responsible of the limiters catch fire or be damaged?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes. This has been done only in cases of installations suspected of misuse of power. There is no fear of current limiters put upon poles catching fire and getting damaged and so there is no question of responsibility.

KHAWAJA GHULAM MOHAMMAD SADIQ (Badgam :Muslim) : Then who is to be held responsible in case of theft?

THE HON'BLE MR. WAJAHAT HUSSAIN : No theft has occurred uptil now.

LALA SHIV NATH NANDA : What would be the case, if a boy breaks a limiter by throwing a stone.

THE HON'BLE MR. WAJAHAT HUSSAIN : It is a hypothetical question.

408. LALA SHIV NATH NANDA : Is it a fact that the present educational system is suited for services only? If the answer to the above be in the affirmative, are Government prepared to modify this system of education so that the students coming out from the colleges may be able to earn their livelihood?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes, the Government is prepared to change the system by another system which is better.

409. WAZIR GANGA RAM (Reasi :Hindu) : Will the Government please state what sum was realized by the lease of Lorry Stand Katra, Tehsil Reasi during the last two years and how was it utilized towards the improvement of the Katra town?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The following sums were realised from leases of lorry stand at Katra :—

1991-92	...	Rs. 510
1992-93	...	„ 1,100

A sum of Rs. 150 was utilized for immediate improvements.

Katra is being declared a Town Area when receipts from this head will be appropriated and managed by the local Town Area Committee.

410. WAZIR GANGA RAM : (*a*) Will Government be pleased to state what has been the income from the contract of 'Pithus' (the beasts used by the Kashmiri coolies) during the last two years at Katra, Tehsil Reasi?

(*b*) Are Government aware that this contract is a hardship on the poor coolies?

(*c*) Are Government prepared to remove this hardship?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The income from the contract of Pithus at Katra during the last two years has been Rs. 350 and Rs. 520 respectively.

(*b*) No. In absence of contract system Pithus may not be available. It is usual to make arrangements for such supplies at important places of pilgrimage to ensure that the requirements of pilgrims are met with.

(*c*) Does not arise.

WAZIR GANGA RAM : Are Government aware that the contractors do not call the coolies but the coolies themselves run after the contractors for the sake of labour. The contractor pays Rs. 500 to the Government and the rest he puts into his own pocket.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The Government is not aware of it.

411. WAZIR GANGA RAM : (*a*) Is it a fact that action contrary to the orders, is being taken with regard to the grades prescribed in the clerical staff and usually while making appointments the rights of the clerks in the lower grades are ignored and fresh and inexperienced men are directly recruited?

(*b*) If the answer to (*a*) be in the affirmative, will it please be stated as to why it is so done and why the rights of the poor clerks are superseded?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : (*a*) No. Direct appointments are either made to redress communal inequalities or in the interests of efficiency of service. In the former case they are made in accordance with the orders passed on the report of the Glancy Commission and in the latter case in accordance with approved principles. The legitimate claims of those serving in the lower grades are duly considered at the time of making such appointments.

(*b*) Does not arise.

412. WAZIR GANGA RAM : (*a*) Is it a fact that the clerks had requested for the permission to establish a union of their own, and this request has not been granted?

(*b*) If the answer to (*a*) be in the affirmative, will it please be stated as to what are the reasons for not granting it?

CAPTAIN KANWAR HIRA SINGH : The member is referred to the answer to question No. 37 which was replied to on 30th March, 1935, in which the House was informed that the clerks did make such a request but the Government did not consider it advisable to grant the permission.

413. WAZIR GANGA RAM : During the last session of the Praja Sabha it was stated that at Hamirpur Sidhar the services of an expert will be hired for the purposes of protecting the lands against submergence?

Has any arrangement been made regarding such an expert? If not, when can it be expected?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : Arrangements have been made for the loan of the services of an expert Engineer from the Punjab Irrigation Department to advise His Highness' Government in the matter. A

copy of the communique issued by the Government on the subject has been placed on the table of the Praja Sabha.

414. SARDAR KANHAYA SINGH (West Kashmir :Sikh) : Is it a fact that there has been constant dispute between the zamindars of village Naupura, Tehsil Baramulla, and the heirs of Diwan Lachhman Dass Jagirdar upto the year 1900 regarding *Assami* rights? Will Government please state regarding this long pending file as to when and what final decision has been made thereon? If the file still awaits decision, what are the reasons therefor?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *Assami* rights were granted under His Highness the Maharaja Bahadur's commands dated 24th December 1927 to those zamindars of Naupura village, whose possession was proved to be of the date prior to the grant of this village to Diwan Lachhman Dass in Jagir. Diwan Dhanpat Rai submitted an application for review of those orders, but his application has been rejected by His Highness the Maharaja Bahadur. The Governor of Kashmir has been asked to take necessary action in the matter. The case has been finally closed.

415. SARDAR KANHAYA SINGH : Will Government please state whether the Forest Department has issued any order to the effect that non-Sikhs should be preferred for the posts of Sikh forest Guards, as is stated in the Muzaffarabad Forest Division?

If the answer be in the affirmative will Government please remove such unlawful restriction?

NOTE.—The question was withdrawn by the Praja Sabha Sad (Sardar Kanhaya Singh) so no reply was read to question.

416. SARDAR KANHAYA SINGH : There is a water tank at the Gurdwara Chhati Padshahi at Naluchi (Muzaffarabad) which supplies drinking water. The managers of Gurdwara have spent heavy sums on its construction but the water there is not much. Will Government please sanction reasonable sum of money for this purpose so that lacs of pilgrims may be relieved from the inconveniences due to the insufficiency of water?

THE HON'BLE MR. WAJAHAT HUSSAIN : An enquiry will be made on receipt of a request to this effect.

417. SARDAR KANHAYA SINGH : Is it a fact that inspite of the orders regarding concessions for the zamindars severe restrictions are imposed and customs duty is realised at Domel Customs Post

for the cereals etc. that are brought there from Kashmir for the purpose of marriage and other ceremonies. Will Government issue orders for removing this trouble of the zamindars?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The question is not clear as no customs duty is chargeable on cereals or other articles bought for consumption from one part of the State to another.

418. SHEIKH MOHAMMAD AMIN (Jammu City :Muslim) : Is it a fact that it was stated in the last session of the Praja Sabha that a sum of Rs. 30,000 was sanctioned for the construction of tanks and wells in Illaqa Kandi? If the answer be in the affirmative, will Government please state the number of wells and tanks the construction of which has been taken in hand and in what Illaqas such works are under consideration? If nothing has been done in this matter, what are the reasons therefor?

THE HON'BLE MR. WAJAHAT HUSSAIN : Works of wells at Chak Bhawan, Tehsil Akhnur and Danoh in Tehsil Kathua and repairs to a tank at Gharsol have been taken in hand.

SHEIKH MOHAMMAD AMIN : The works pertaining to which Illaqa is under consideration?

THE HON'BLE MR. WAJAHAT HUSSAIN : The list is not with me here at present.

SHEIKH MOHAMMAD AMIN : Sir, in the last part of my question also I had enquired as to the works regarding which Illaqas are under consideration?

THE HON'BLE MR. WAJAHAT HUSSAIN : I am sorry, it has been overlooked. I shall give its reply.

419. SHEIKH MOHAMMAD AMIN : Will Government please state what has been the total expenditure during the last session of the Praja Sabha at Srinagar on account of travelling allowances, daily allowances, salaries of the officers and the pay of the establishment of the Praja Sabha office?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The session lasted for 29 days from 14th October to 11th November 1935. The total expenditure during this period was Rs. 21,381-15-0 as follows :—

		Rs.	A.	P.
T. A. and Daily Allowance to non-official members of the Praja Sabha	...	18,966	3	0
Salaries	...	1,267	12	0
Establishment	...	1,148	0	0
Total	...	21,381	15	0

SHEIKH MOHAMMAD AMIN : The last part of my original question has been deleted and so my question has become meaningless?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This pertains to me. The last part has been deleted and the reason has been given. The same can be enquired from the office.

420. SHEIKH MOHAMMAD AMIN : (*a*) Is it a fact that in the Medical Department generally and especially in Jammu Province, Muslim compounders are not posted in dispensaries where there is only one post of a compounder?

(*b*) If the answer to the above question be in the affirmative, will the Hon'ble Home Minister be pleased to state how the Muslim element can increase when 75 per cent. dispensaries are such as have only one compounder each?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) No.

(*b*) Does not arise.

421. SHEIKH MOHAMMAD AMIN : (*a*) Is it a fact that non-Muslim Khidmatgars are appointed in the hospitals of the Medical Department in Jammu Province? If the answer to the above question be in the affirmative, will the Hon'ble Home Minister be pleased to state how many posts of Khidmatgars fell vacant or were created in the Hospitals of Jammu Province and how many Muslims and how many non-Muslims were appointed to them?

THE HON'BLE MR. WAJAHAT HUSSAIN : The information will be supplied when the member specifies the period.

SHEIKH MOHAMMAD AMIN : The period is fixed in my question. I demanded the figures for 1990-91 and 1991-92.

MR. PRESIDENT (The Hon'ble Sir Barjar Dalal Kt.) : It must have been some mistake.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : (Addressing the Hon'ble Home Minister) : Will you kindly send an answer. I am sorry the years have been omitted in English translation.

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes Sir, the years have been omitted. I shall send the answer.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (Addressing Sheikh Mohammad Amin) : You will get information.

422. CHOUDHARI CHATTAR SINGH (Jammu Wazarat :Hindu) : Are Government aware that in the hills and plains of Jammu Province, potatoes of good quality are produced and that their product was greatly increasing and they were being exported to the Punjab etc. but the Government has levied an export duty of annas 8 per maund which is more than one-third of their price, with the result that the cultivation of potatoes has been stopped because they are not consumed in the State?

(*b*) If the answer to (*a*) be in the affirmative, is not this policy of the Government detrimental to the development of agriculture? If so, are Government prepared to remove this defect?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Potatoes being an article of food, export duty is charged thereon to discourage their exportation in the interest of public at large. Nevertheless the duty figures given below show that the export has not decreased.

As the export has been, generally speaking, steadily increasing, the member can surely not be serious in stating that the cultivation of potatoes has been stopped.

Year.		Export figures duty.
		Rs.
1984 (Baisakh to Assuj)	...	1,453
1984-85	..	1,084
1985-86	...	4,096
1986-87	...	2,776
1987-88	...	3,870
1988-89	...	5,605
1989-90	...	3,710
1990-91	...	5,140
1991-92	...	7,645

PANDIT RAM CHANDRA DOBEY : Since when has the export duty of -/8/- per maund been imposed on potatoes?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : This is a new question.

PANDIT RAM CHANDRA DOBEY : The increase in the number of exports has nothing to do with potatoes ; it pertains to the figures which have grown up on account of increase being made in the duty. It should not be taken to mean that the produce of potatoes has increased.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Do you enquire about the number of maunds?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : I shall show you that.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : One of you will have to stand for Choudhari Chattar Singh.

NOTE.—Pandit Ram Chandra Dobey then stood for Choudhari Chatter Singh who was absent.

423. CHOUDHARI CHATTAR SINGH : Do Government consider it necessary to develop agriculture? If so, are they prepared to grant a reasonable sum to the Agriculture Department so that it may be able to practically do some useful work?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part.*-- Yes.

2nd part.—Some proposals have already been considered by the Standing Committee on Agriculture and are being referred to the Standing Committee on Finance. Suitable funds as can be made available will be allotted for the purpose in due course.

424. CHOUDHARI CHATTAR SINGH : Is it a fact that in mortgages and ales, the mortgagers and sellers are required to submit certificates of being State-subjects whereby people are causelessly harassed and no useful result is achieved when the object is only this that the non-State-subjects should not buy lands in the State?

Will Government please issue necessary instructions to remove this defect?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : This is done in accordance with order No. 3 of the State Secretary conveying the commands of His Highness the Maharaja Bahadur dated 5th October 1925. That command required the production of State-subject certificate by both parties to a sale or mortgage.

Now that the matter has been brought to the notice of the Judicial Minister by one of the Champions of the rights of State-subjects it would be considered whether at the time of registration a State-subject certificate need be required from the transferor. It would have been better if the member had submitted a resolution on the subject.

425. CHOUDHARI CHATTAR SINGH : What sum was sanctioned every year for special scholarships to Rajput students during the years 1985 to 1992? what amount out of the said sum was distributed among Rajput students. If the full amount did not use to be distributed, what are the reasons therefor and what amount was saved and where was it spent?

THE HON'BLE MR. WAJAHAT HUSSAIN : The provision for special scholarships to Rajput students during the years 1985 to 1992 was—

	Rs.
1985-86	... 4,500 (300 for girls).
1986-87	... 4,500 Do.
1987-88	... 4,850 Do.
1988-89	... 5,200 (1,000 for girls).
1989-90	... 4,160 (800 for girls. Decrease due to 20% cut).
1990-91	... 4,160 (800 for girls).
1991-92	... 4,160 Do.

As regards the actual disbursement the information is being called for and will be supplied to the member later.

426. HAJI AHMED ULLA SHAHDAD (Tashawan-Srinagar City :Muslim) : (*a*) Do Government make proper arrangements for the construction and maintenance of roads used by the subjects of Kashmir and by visitors? If so, what arrangements have so far been made for the provision of a road to Ladakh and Tibet?

(*b*) Will Government please state what measures have been adopted so far to prevent the innumerable accidents that happen in Chah-Kanzolah near the Nullah Zaujala in case they have been informed of the present state of affairs?

(*c*) If the answer to (*a*) and (*b*) be in the affirmative, will the Government please state these measures briefly?

(*d*) If the answer be in the negative, why do the Government not make proper arrangement for the construction and upkeep of such difficult and dangerous paths and bridges and why is not the danger of Chah-Kanzolah eliminated by spending a small sum of money?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) The road upto Ladakh is maintained by the Joint Commissioners.

(*b*) No complaint has been received so far in this connection.

(*c*) and (*d*) Please see (*a*) and (*b*) above.

427. HAJI AHMED ULLAH SHAHDAD : (*a*) Is it a fact that keeping in view the dense population of the Wards No. 3, 4, 5, 6, 7 and 8, Government have not made adequate arrangement for hospitals?

(*b*) If the answer be in the affirmative, will Government please state the number of hospitals opened in the above mentioned wards?

(*c*) If the answer be in the negative, will Government open a big hospital in the centre of this dense population and set up its branches in every ward?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) and (*b*) I am not prepared to admit that adequate medical arrangements have not been made at Srinagar, but it is true that a dispensary has not been opened in every ward, nor will it ever be possible to do so.

(*c*) A large hospital exists already.

428. HAJI AHMED ULLAH SHAHDAD : (*a*) Is the Hon'ble Revenue Minister aware that by a little irrigation a large tract of land from Kargil to Gilgit can become a fertile land?

(*b*) Will the Hon'ble Revenue Minister state whether the people of Illaqa Baltistan and Ladakh always import articles of food from outside?

(*c*) If the answer to (*a*) be in the affirmative, will Government please state what arrangement has been so far made keeping in view the fact mentioned in (*b*) above?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) There are possibilities of extending cultivation if irrigational facilities are increased.

(*b*) Local people do not generally import food articles for their personal consumption.

(*c*) The local Revenue officers are being directed to investigate and report whether it is feasible to increase irrigational facilities. On receipt of their reports, sympathetic action will be taken.

429. HAJI AHMED ULLAH SHAHDAD : (*a*) Will the Hon'ble Finance Minister be pleased to state why customs duty is charged on goods imported into Ladakh *via* Kargil, when no such duty is charged on goods imported *via* Kulu?

(*b*) If the fact mentioned in (*a*) is correct, what are the reasons for this differential treatment?

(*c*) Will Government, realizing the trouble of the traders of Kashmir exempt from customs duty the goods imported through either way?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : No duty is in fact charged on goods passing into Ladakh *via* Kargil but as the goods have to pass through a large taxable area the duty is charged at the post of entry and refunded at the post of exit.

(*b*) and (*c*) Do not arise.

430. COLONEL ABDUR REHMAN (Udhampur :Muslim) : Will Government please state the amount spent on the repair and up-keep of each of the old roads *i.e.*, Udhampur-Saidahgah-Jammu Road, Udhampur-Reasi Road, Udhampur-Darsu-Jammu Road, and Udhampur-Jaganun-Ramnagar-Basohli Road during the last ten years? If the answer be in the negative, what are the reasons therefor?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Udhampur-Sahgam-Jammu, Udhampur Reasi and Udhampur-Darsu-Jammu Roads are not under the Revenue Department.

The following expenditure was sanctioned for Udhampur-Jaganun-Ramnagar-Basohli Road during the last ten years :—

		Rs.
1983	...	1,885
1984-85	...	1,885
1985-86	...	1,885
1986 87	...	1,620
1987-88	..	1,745
1988-89	...	1,852
1989-90	...	1,510
1990-91	...	1,471
1991-92	...	1,058
1992-93	...	1,780

COLONEL ABDUR REHMAN : Even before this the Hon'ble Home Minister had stated that this road is not under the P. W. D. Today the Hon'ble Revenue Minister states this road is not under the Revenue Department too.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : There is no such place as Sahgam?

COLONEL ABDUR REHMAN : Sir, it is not Sahgam I had written "Sagala".

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM :Enquiries will be made about "Sagala".

431. COLONEL ABDUR REHMAN : Do Government, with a view to develop agriculture, intend to provide instructions regarding the improved methods of agriculture and the use of new agricultural implements, and to grant sample seeds through the Agriculture Department in the fields of the zamindars of different Illaqas? If the answer be in the affirmative, when will it be so done?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The Agriculture Department is already giving instructions on spot to

zamindars through their officers as well as through printed leaflets. Such officers also visit their fields and give them practical demonstrations regarding the improved methods of agriculture and the use of new implements wherever such introduction is possible. This is done in both the Provinces of Jammu and Kashmir as far as possible. Recently free samples of seeds have been supplied through Assistant Director Horticulture Jammu to the Udhampur zamindars for trial in their lands.

432. COLONEL ABDUR REHMAN : Do Government intend to provide, in accordance with local conditions, arrangements for good breeding for instance, of horses, oxen, donkeys in each of the Tehsils of District Udhampur?

If the answer be in the affirmative, when will it be so done, because every day the breed of cattle is growing worse and small-sized?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part.*--Yes.

2nd part.—Some of the pressing requirements have already been considered by the Standing Committee on Agriculture etc. and concrete proposals, which will go a long way in alleviating the grievance, have been made.

COLONEL ABDUR REHMAN : When has it been followed?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It has not been followed as yet but is intended to be followed.

433. PANDIT AMAR NATH KAK (Srinagar City North : Hindu) : Will the Hon'ble Prime Minister state, what the number of new appointments during the last two years in different departments was and how many of them were given to Hindus and how many to Muslims?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : 1,442 new appointments were made during the last two years out of which 652 were given to non-Muslims and 790 to Muslims.

434. PANDIT AMAR NATH KAK : Will the Hon'ble Prime Minister be pleased to state whether the rates of travelling allowance have recently been modified? If so, whether this modification or amendment in State rules was referred to the Praja Sabha? If not, was it not necessary to do so?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister : (*a*) Yes,

(*b*) No.

(*c*) No, as Government is competent to change or cancel rules in the Kashmir Service Regulations under the authority vested in it under section 4 (*a*) of the said Regulations.

435. PANDIT RAM CHANDRA DOBEY (Kathua :Hindu) : In reply to Q. D. No. 474 during the last session of the Praja Sabha the Government has stated that action has been taken on many of the recommendations of the Retrenchment Committee, and the rest of them are under the consideration of the Government?

Will Government place before the House a statement showing those recommendations upon which action has been taken and those upon which no action has been taken so far? Will details regarding this be supplied for the information of the public?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : The question will be considered by Government and a reply given in the Srinagar Session. The member will kindly intimate in the meanwhile which Retrenchment Committee he had in his mind.

PANDIT RAM CHANDRA DOBEY : I mean the Committee which consisted of the Hon'ble Chief Justice, Accountant General and Mr. Wreford.

NOTE.—The Hon'ble President directed the Praja Sabha Secretary to keep a note.

436. PANDIT RAM CHANDRA DOBEY : There is a recognised principle of Government regarding vacancies, that one-third of such posts should be filled up by open competition, one-third by departmental promotions and one-third by nominations. Are Government prepared to follow this principle? If not, why?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : The Government is following the system of recruitment laid down in the Glancy Commission Report and is not prepared to change it at present.

PANDIT RAM CHANDRA DOBEY : Will this please be explained?

THE HON'BLE MR. WAJAHAT HUSSAIN(Leader of the House) : That is already printed.

PANDIT RAM CHANDRA DOBEY : I have enquired whether the Government is prepared to act according to it or not. I want to know as to what this report contains?

THE HON'BLE MR. WAJAHAT HUSSAIN (Leader of the House) : No. That report is printed and you will be supplied with a copy of it.

(Interruption on account of shank and bells)

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : In the last session a request was made that a separate building is required but you did not agree.

437- PANDIT RAM CHANDRA DOBEY : Will Government order the Wazir Wazarat of every district that after every three months he may, in the absence of District Officer of the said departments hearing the complaints of the people through an elected public representative from each tehsil, do justice in this behalf and that a report of the proceedings and the decision of such a meeting held every three years may be submitted to the Government for information?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : The Government has not had time enough to consider this question and it is not therefore possible to say immediately on a question being asked whether it will be prepared to act on the suggestion. The matter will be put up in Council for discussion.

PANDIT RAM CHANDRA DOBEY : Will it be considered before the commencement of the next session.

THE HON'BLE MR. WAJAHAT HUSSAIN (Leader of the House) : Yes, please.

PANDIT RAM CHANDRA DOBEY : The Urdu translation of the Widow Re-marriage Regulation of 1990 has not been published so far? Are Government prepared to soon publish the Urdu and Hindi translation of this law? If not, why?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : The translation will be published in Urdu when ready.

PANDIT RAM CHANDRA DOBEY : When can this be expected?

THE HON'BLE MR. WAJAHAT HUSSAIN (Leader of the House) : Very shortly.

439. AGHA SYED HUSSAIN JALALI (Rainawari-Maharajganj, Srinagar City :Muslim) : (*a*) Will Government please state whether, if a person is compelled to get leave on account of some urgent business, along with the holidays, before or after, holidays will be calculated as a part of his leave-days? If so, why?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : Yes, as the orders stand at present . The restriction was imposed with a view to check officials from combining holidays with leave, a privilege which was abused when it existed.

440. PANDIT AMAR NATH KAK : Will the Hon'ble Prime Minister consider the advisability of granting land to the educated unemployed and giving them special training in the Agriculture Department in order to enable them to take to agriculture?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : No such request has been received by the Government so far and if a genuine desire is expressed by unemployed educated persons to take to agriculture as a profession in life, Government will consider such a request sympathetically.

LALA SHIV NATH NANDA : Will every community's case be considered.

THE HON'BLE MR. WAJAHAT HUSSAIN (Leader of the House) : Yes, every community's case will be considered.

441. MALIK GHULAM HUSSAIN (Kulgam :Muslim) : In view of Q. D. No. 311 of November 1935, do Government feel the deficiency of Muslim element?

If the answer be in the affirmative, when will Government make good this deficiency?

CAPTAIN KANWER HIRA SINGH (On behalf of the Hon'ble Prime Minister) : The solitary instance of Kulgam is no proof. The figures published annually in the Government Gazette regarding the composition of State services have, it is hoped, convinced the member that Government is doing its best to redress communal inequalities ; it is not possible to revolutionise the services or take such other measures as may tend to deteriorate the efficiency of the administration as a whole.

RESOLUTION NO. 1.

"There is a pressing necessity of an Upper Middle School in Ramgarh, Tehsil Samba, therefore, this Praja Sabha recommends to the Council that the present Lower Middle School be raised to the standard of an Upper Middle School".

CHOUDHARI ABDULLAH KHAN : Ramgarh is a famous town in Samba Tehsil. In order to explain its situation, it is necessary to mention the details of the fact that the road which goes from Jammu to Samba divides the area of this tehsil into two big parts. Thus due to this road, this whole tehsil is divided into two parts. One part of the tehsil lies to the north of the road while the other lies to the south of it. The northern part is hilly and "Kandi" Illaqa while the southern part is plain which on account of its vast area is far larger than the northern part and on account of being densely populated is more fertile and is paying greater revenue. There is mixed population of both the Hindus and the Muslims. It is in the centre of this southern part that Ramgarh town is situated which is a pleasant and a central place. At present there is only a Lower Middle School there while there are eight Primary Schools in its neighbourhood namely, Nanga, Jasso Chak, Habtal, Chakbaglan, Rarin, Ratanpore, Chhani Manhasan and Savankha. There are at present sufficient students in Ramgarh and besides, the above mentioned eight schools are more than sufficient to supply students to this school. Under these circumstances, it is necessary that an Upper Middle School should be opened here and this also should be decisively be pointed out that in the northern part mostly inhabited by the Rajputs, two Upper Middle Schools have been opened for instance that of Birpur which lies at a distance of 13 miles from Ramgarh and the other in Gurha Salathian which is situated towards the north at a distance of 12 miles from Ramgarh. Apart from its being situated at a distance, the condition of the road is also bad and is not fit for traffic. This is evident also from the fact that the students coming from the southern part cannot pass the Middle Class Examination in one year. There is a high school at Samba town, but as it is at a distance of nearly 15 miles, the inhabitants of Ramgarh Illaqa cannot derive any educational benefit from it. As the zamindars are poor and helpless and cannot afford the expenses in distant towns and cities, therefore, they are miserably backward in education. Since the zamindars, besides being the subjects of His Highness the Maharaja Bahadur are paying education cess regularly, therefore it is most desirable that if they cannot be provided with higher education, at least, a local Upper

Middle School must be started according to their need. Therefore I submit that the Government taking into account all the circumstances should open an Upper Middle School at Ramgarh in Sambat 1993. I hope the House will support my resolution.

SARDAR BUDH SINGH : My respected friend Choudhari Abdullah Sahib had already moved a resolution about it in this session and the Hon'ble Home Minister has given a reply to that. The Government never denied to promote education but on the other hand the Government has always tried to promote education and wherever the necessity of opening new schools was felt the Government did never hesitate, provided, it was brought to the notice of the Government. Now the question is that the big Government officials and military officers, through their personal influence, get Middle Schools opened in their villages and tehsils and thus provide educational facilities for their children.

The place about which the mover has put forward this resolution is inhabited by agriculturists and the people of this Illaqa are very poor. They cannot send their children to other places for receiving higher education, because their poverty does not allow them to bear the expenses of food etc. and besides there is no boarding arrangement as well. Besides there are so many streams and Nullahs to cross which is not only difficult but impossible during the rainy season. Therefore if the Lower Middle School is not raised to an Upper Middle School, it will be of no use.

It is therefore requested that an Upper Middle School should be immediately started at this place. It is quite an ordinary matter and does not require much expenses. Therefore it is not difficult for the Government.

I think when the Education Department makes enquiry as to how many boys go to Upper Middle Schools after passing Primary classes, the Hon'ble Home Minister will come to know as to how many sons of the poor zamindars are deprived of education for want of an Upper Middle School. This will tend to the betterment of the country and the sons of the poor zamindars who will be fond of receiving education and who being unable to bear expenses in other schools away from their own villages, will thus find an opportunity to receive education.

I would submit that a programme may be chalked out, and Upper Middle Schools could be started at places where there are Lower Middle Schools, so that the sons of the poor zamindars may

be able to pass, at least,the Middle Examination. In this programme much importance should not be attached to distance but on the other hand the poverty of the zamindars should be kept in view. The opening of an Upper Middle School will lead to the spread of education. I support the resolution of Choudhari Abdullah Sahib and submit that he should not be silenced by mere false hopes but a practical shape should be given to his resolution. Such minor resolutions need not be moved here. Such matters should be decided by the Education Standing Committee.

MIAN AHMED YAR : Sir, I submit in support of the resolution of Choudhari Abdullah Khan that education is such a necessity that it is only after acquiring it that political or social advancement can be made. It has been explained that every year an addition is made in the number of schools. It has been stated that there are nearly 200 boys in the Primary Schools in Tehsil Samba and out of them twenty or twenty-five boys sitting idle at home after finishing their primary education ; as there is no Upper Middle Schools in their vicinity, they cannot continue their studies. Therefore it is submitted that in order to put an end to their grievances, two more classes be opened in these schools which is not a great thing. In order to save time, I conclude my speech supporting this resolution to this extent.

SARDAR HARI SINGH : Sir, I support this resolution and submit that the road that goes from Jammu to Kathua passes through the Samba Tehsil. This is a well known place and sometimes back, it was proud of the fact that late His Highness Maharaja Gulab Singh Ji Bahadur stayed here very often. Here the agriculturists constituted the majority. The town for which Upper Middle School is demanded is in "Kandi" Illaqa. It is necessary that an Upper Middle School be opened there. Therefore I submit that such a school must be started there and the need of the poor zamindars be fulfilled.

THE HON'BLE MR. WAJAHAT HUSSAIN : I am very much pleased today to hear the Praja Sabha Sad Sahib admitting that I feel the necessity of spreading education. I agree with Sardar Budh Singh that such matter should be decided by the Standing Committee which may see as to where new schools are to be opened and where Upper Middle Schools should be established. This matter should be left to the discretion of the Standing Committee. But it cannot be said as to what will be the decision of the Standing Committee regarding this matter. Of course I can say this much that the Standing Committee is authorized to suggest places wherever it considers desirable to open schools. The proposals of

the Department are placed before the Standing Committee and it has powers to make alterations therein.

I quite agree with Sardar Budh Singh that this proposal be sent to the Standing Committee. The other proposal of Sardar Sahib which I agree to and accept is that the Education Standing Committee should be supplied with information as to the places where the schools are required. I agree to this point. I will certainly write to the Director of Education to inform the Committee about all those places where schools are needed. Sardar Budh Singh has realized my difficulty and I too want to refer to those difficulties.

It is not proper to open a school at one place when there are other places where the opening of schools is more urgent than at the former place. It is, therefore, the duty of the Praja Sabha that the members should by means of the resolution, point out to the Government where they consider it necessary to open schools. I believe that the Praja Sabha will keep my difficulties in view.

I feel very much pleased when I see keen desire being shown for the progress of education from all sides. Mirza M. A. Beg has also urged the necessity of opening a school. I told him that there is no such part of the State, which I have not visited and where the people did not present applications for the progress of education. What I mean to say is that people of every place in the State are trying to spread education. Now the question is as to how can the Government open schools at so many places in one year. In connection with a previous resolution I pointed out in my speech that there are many places in the State which are at a great distance from the schools for instance Banihal, Anantnag and Udhampur. In these Illaqas the boys have to face great difficulties in receiving education, because there are no schools for miles together in their neighbourhood.

Regarding Ramgarh, I would say that it is, in fact, an important place. Sardar Budh Singh stated that because Ramgarh is an important place, a Middle School must be opened there. I do not contradict it. But I want to say that there are middle schools near Ramgarh. There is one High School at Samba which is at a distance of 11 miles. As has been stated by Choudhari Abdullah Khan there were Upper Middle Schools at two other places, namely Ranbirsinghpura and Gura Salathian. They are situated within 15 miles; that is there are three Upper Middle Schools within a distance of 15 miles from Ramgarh.

Now the question is whether under these circumstances Ramgarh should be given preference over those places where there are no middle school within the distance of 60 miles. If the Government approves of the idea of opening a High School at every place, I am prepared to do so at any time, but there is a limit to the Government expenditure. We have to see whether we can open a middle school at Ramgarh this year, next year or a year after the next. As regards Ramgarh, I can say only this much that in the first place the case should go to the Standing Committee which is authorized to recommend that a middle school must be opened there. Secondly there are three middle schools near Ramgarh. By this I do not mean that we are not prepared to start a middle school there. I can promise that I will write to the Director of Education to consider this matter immediately. This resolution will be placed before the Standing Committee. That Committee has been appointed only for this purpose and now we can do nothing without consulting it. I am sorry that this resolution is not acceptable in the form in which it has been put before the Praja Sabha. I will surely inform the Standing Committee about the resolution and the question of opening an upper middle school at Ramgarh will receive due consideration. (Cheers)

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (Addressing Choudhari Abdullah Khan) : What do you want to say now?

CHOUDHARI ABDULLAH KHAN : If assurance is given I am prepared to withdraw my resolution.

THE HON'BLE MR. WAJAHAT HUSSAIN : I will surely put this resolution before the Standing Committee.

CHOUDHARI ABDULLAH KHAN : I withdraw my resolution.

NOTE.—On the assurance given, the resolution was withdrawn with the permission of he house.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Next resolution, Wazir Ganga Ram.

The Hon'ble President then directed the Assistant Secretary to read out the following resolution standing against the name of Wazir Ganga Ram at No. 2. The Assistant Secretary read out the resolution in Urdu.

"This Praja Sabha recommends to the Council that a commission consisting of official and non-official

members be appointed to consider the grievances of the public regarding the enforcement of the Income Tax Regulation and to suggest improvement before the House."

WAZIR GANGA RAM : Hon'ble President ! As an economic principle all the Governments in the world at the time of imposing Income Tax keep particularly in view the fact that the tax may be imposed in such a way that the condition of the tax-payer after paying the tax should remain the same as it was before and the method of collecting and assessing it should be such that it will neither seem burdensome to the people nor create such an atmosphere, which may cause disaffection against the Government.

While inviting your attention to the economic condition of the State, I think it necessary to submit that the trade and other business in the State is comparatively more alarming than in the Punjab and the other provinces in India. The number of such persons whose annual income is Rs. 2,000 or more is less in the whole State than in one district of British India. Even in the districts of the Punjab, the number of tax-payers is not so large that a separate Income Tax Officer should be appointed for each district. There is, for example, only one Income Tax Officer for two districts, Gurdaspore and Kangra. Similarly for the districts of Jhelum, Gujrat and Sheikhupura etc., there is only one Income Tax Officer for every two districts. But in Jammu and Kashmir Provinces, there are five Sub-Income Tax Officers in each Province.

The Hon'ble Mr. Hoope while presenting Income Tax bill in the British Indian Legislative Assembly in 1886, briefly pointed out that all the Income Tax Officers and Collectors were not sincere and honest. Similarly it is not inconceivable, if officers appointed for the assessment of tax, impose unfair tax upon the poor. To provide means for their private income, surely tax is imposed upon such people irrespective of their having some income or not. It is presumed that they have got income of more than two thousand of rupees and thus the tax is assessed. Moreover, in the present condition of economic depression when there is intesively keen competition, the traders do not gain so much profit as the Income Tax Officers take it to be. The majority of the traders are such that they do not keep accounts, because they cannot employ an accountant on account of meagre income. But their income is presumed to be more than Rs. 2,000 merely because they do not keep account books and the tax is levied upon them. There are several men who have submitted the statements of their income to the In-

come Tax Department and if by chance they are misplaced in the office, the burden will fall upon those who have submitted them. I invite your attention to an article in "The Advocate" dated the 23rd Katik 1992, on page third. Those upon whom tax is imposed in this manner, file appeals, but somehow these cannot be decided at an early date and in the case of those appeals which have been decided, the money is refunded after a long time. According to section 45, the postponement of the realization of the tax is left at the discretion of the officer till the decision of the appeal. It is a fact that the tax is realized in this manner and if some delay is caused in the collection of tax, fine is also imposed. It was published in "The Advocate" of 16th Katik 1992, on poge 4, that the Income Tax Officers, when demanding accounts, allow very little time to the tax-payers, with the result that these poor people can neither produce nor explain their accounts and the Income Tax Officer, by misusing the powers in section 13 impose income tax upon them. The method of surveying which is followed in India and other countries is that the Survey Inspector goes to the tax-payer and inquires of him as to whether he has account books with him and what is his daily sale, and what are his profits? Following this principle, he regularly calculates the income of the tax-payer and enters the report in his Survey Register. But it is alleged that this principle is not followed here as a result of which notices under section 22, sub-section 2 have been served upon the poor shop-keepers who neither know how to fill up the chart, nor can they afford the expenses to obtain the advice of any expert. The income of such persons has also been assessed under section 13 (4) without demanding accounts from them under section 22(4) and this is very oppressive for these poor people. When the Income Tax Regulation was first enforced, the income of most of the shopkeepers was surveyed to be more than one thousand and less than two thousand; but after the Council had abolished the tax on an income of less than Rs. 2,000, the income of these very shopkeepers was raised to more than Rs. 2,000. This is a strange sort of survey. The Income Tax Officer himself assesses the income tax, but it is natural that his opinion in assessing the aggregate income cannot always be correct.

Taking all these facts in view and keeping myself impartial, I will ignore the fact that the income tax and the practice of its improper realization can create unrest and unpleasant situation in the State. I would like to submit before this House that in the first place the income tax is unbearable in our State and add to the difficulties, the means employed for the collection of tax, as I have already stated, are surely more to be regretted than even the introduction of the Income Tax Regulation. In spite of the fact that

there is a big department, the people are groaning under the burden of the income tax and as the Department is being enlarged, the people are becoming more and more distracted. I am prepared to say even to this length that the slightest negligence on the part of the Government will make the conditions worse. I know that the Government feels sympathetic towards the public and in spite of its own difficulties, is desirous of improving the lot of the public. Under such circumstances the most desirable and best course for the Government is to show its broad-mindedness and should appoint a Commission which may hold an inquiry into the grievances of the people and besides it may suggest some improvements regarding the collection of taxes so that the people may not have a chance for complaint.

I hope the respected Praja Sabha Sad Sahibs will support this resolution which is beneficial both for the Government and the people.

BAKHSHI MOTI RAM : Hon'ble President ! According to the fundamental principle of the constitution of Praja Sabha, it is our duty to place our difficulties before the President. It is neither in our power to remove those difficulties nor we can with all our strength make a correct estimate of it without the help of the Government. Anyhow it is our moral duty to place before the Hon'ble Praja Sabha Sad Sahibs the condition of our respective constituencies and I hope we would not be failing in that. Acting upto the principle "They also win who fight well" whenever we raised a question of public welfare, we have never failed in doing our duty. Success or failure is out of our power. The resolution I am supporting is not only of very great importance but it also bears a true expression of our feelings. Sir, "Law makers are not so cruel as those who enforce law". Income tax is a direct tax. According to the principle of income tax, a Government which levies very few direct taxes is considered to be more civilized and prosperous. If the taxes are direct, the officers for imposing such taxes are directly appointed and the taxes are realized in a direct way and if an appeal against such a direct tax is to be filed in the court of only one high officer whose order supersedes even that of the All Power "Barhma" are we then in such a case justified in crying for help or not? We want to amend this Regulation by means of this resolution. The Government has always stood for reforms. Generally the reforms are not bad. If the Commission, after considering all the difficulties which are being experienced on account of the operation of this Regulation, puts forth some useful proposals, neither the Government nor any sympathetic member ought to oppose this resolution.

With these words, I support this resolution. Sir, we have frequently seen in the villages that generally the Income Tax Officers are not acquainted with the local conditions and therefore are unable to make a correct estimate of one's income. Deciding cases on the ground of hearsay informations is not only a great injustice but it also amounts to putting the people under an unbearable burden. If a tax is levied on a person who in reality is capable of paying tax, we have no objection, but we know many instances where heavy taxes have been imposed upon poor villagers simply on the assumption of imaginary income.

SHEIKH MOHAMMAD AMIN : Sir, I would submit a few facts in support of this resolution. My first submission is that the appointment of a Commission is very essential. At first I want to invite your honour's attention to the powers of the Income Tax Department and the irregularities practised in this Department. There are not only irregularities but injustice is also done there. In the last Session of the Praja Sabha, an income of Rs. 2,000 was fixed as the minimum taxable income. That is income tax is levied upon those whose annual income is at least Rs. 2,000 but in some cases, a contrary practice is being followed. For instance I would submit that even those limited concerns whose annual income is Rs. 999 are made liable to the payment of the income tax and this is not just and lawful. The principle followed in British India is that in the case of limited concerns, tax is imposed when their income is less than others by Re. 1 ; that is of ordinarily tax is imposed on an income of Rs. 1,000, then in their case tax is imposed on Rs. 999, whereas in the State, income tax is imposed on Rs. 2,000 on the one hand and on Rs. 999 on the other. Thus there is dual practice.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I don't understand. Are you attacking the law? How can you attack the law?

SHEIKH MOHAMMAD AMIN : Sir, my submission relates to the appointment of a Commission.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Can the Commission amend the law?

SHEIKH MOHAMMAD AMIN : I have referred to the irregularity. Therefore the appointment of a Commission is necessary so that the irregularity may be removed and after holding an inquiry, recommendations may be made to the Government to stop all this. For instance, in some cases income tax is imposed upon residential

houses which are exempt from income tax ; by assessing the income in such a way that it comes upto Rs. 2,000. That is in imposing the income tax no principle is followed. If the profit comes upto 5 per cent. only, it is calculated at the rate of 20 per cent. and the tax is levied accordingly. This fact, too necessitates the appointment of a Commission in order that it may enquire into such matters. The irregularities in the imposition of tax are due to the fact, as has been pointed out by Wazir Ganga Ram Sahib and Lala Sahib that it is the Income Tax Officer himself who assesses the income and who hears the appeal. This is not proper even from the legal point of view. In other words, is it proper that the assessing officer may hear the appeals also? It would have been proper, if the Income Tax Officer were called as Income Tax Commissioner and if he heard the appeals only. In this way the tax-payer would save one right of appeal which he is being deprived of and which right he is legally entitled to.

Therefore I support this resolution that the Commission must be appointed. I support the resolution on behalf of the Conference Party and hope that the House will adopt this resolution.

PANDIT JIA LAL KILAM : So far as this Regulation is concerned, I think there is no reference in this resolution to amend this Regulation and nor do we want any amendment in it. But under every law, the officers are vested with discretionary powers which they exercise from time to time. What I mean to say is that the local officers who are authorised to exercise discretionary powers do not use them equitably as they ought to do. My submission is that there are two methods for the realization of income tax. The first one is that a shop-keeper may prepare his "Balance Sheet" and may successfully prove the same before the Income Tax Officer and the income tax should be realized from him in accordance with that. The second method is that if anyone has no "Balance Sheet", the Income Tax Officer is authorized to impose the tax on his sale according to his own discretionary powers. These rates are known as scheduled rates.

My submission is that the scheduled rates, when prepared should not have been determined arbitrarily. They ought to have been determined according to some special principle. In the Punjab these scheduled rates are different in each district. One cannot expect same rates everywhere on account of the fact that the Income Tax Officers over there are more experienced.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I have an experience of 42 years and I am paying income tax.

PANDIT JIA LAL KILAM : Sir, the reason for it is that as your Lordship is accustomed to pay income tax, therefore, you feel displeased on hearing our requests.

What I mean to say is that there are different scheduled rates in the different districts of the Punjab. There is a special reason for that. The officers in the Punjab know as to which districts yield more profit and which less and for this reason they have prepared different schedules of rates. But, here, we find that same rates have been fixed every where. My second submission is that here the traders do not make much profit because they have to pay a heavy Customs duty. Now that the Government is receiving Rs. 77 lakhs from Customs with the result that there is a great trade depression. Since after the payment of Customs duty, a very small portion of the profit remains with the traders. Therefore it is necessary that some reduction must be made in the scheduled rates. But nothing has been done as yet. It is a serious grievance.

Secondly I would illustrate my point by citing an example that I sell a golden ornament worth Rs. 10 for Rs. 12. This profit of Rs. 2 includes labour also. The method of realization practised here is that it is realized from the goldsmith on the one hand and from the seller of the ornament on the other and labour is not taken into account. The appointment of a commission is very necessary for doing away with such irregularities.

Regarding the fact as to whether the tax may continue or not, it is a different question. In this connection, I have submitted in the last session and I do not think it necessary to repeat it. My only submission is, as has been pointed out by Wazir Ganga Ram Sahib, that in order to make the relation between the Ruler and the ruled firm and in order to put an end to the grievances, a commission must be appointed.

PANDIT RAM CHANDRA DOBEY : In this connection I would submit that in every session of the Praja Sabha, since its inaguration some matters of great importance relating to it have been considered and in the last session too, it was put forth in the form of a resolution but somehow, it was not accepted by the Government. Now it is for the last time that we are going to make a submission and that is that the Government may accept the appointment of a commission.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You are arguing quite differently, if you excuse me. Nothing is said

about the language of the Regulation. This is the general grievance that it should not be realized. I do hot like paying income tax myself.

PANDIT RAM CHANDRA DOBEY : I am referring to the public grievance or the complaints of the masses.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You are arguing something different.

PANDIT RAM CHANDRA DOBEY : The accounts of the people are incomplete. Had they known it they would have maintained regular accounts. Therefore the fixing of Rs. 2,000 instead of Rs. 1,000 is useless. This is of no use to the businessmen on account of the fact that their accounts are quite incomplete. If there is a case of appeal that too is heard by the Income Tax Officer. The people complain that this power should not be given to the Income Tax Officer. It is required that respite be given at the same time. He has power under section 45 to hear the appeal. Therefore every Praja Sabha Sad should submit before the Government that this Income Tax Regulation has become unbearable for the people. A resolution was first moved regarding the rates but it could not be accepted.

Now we are requesting for the appointment of a commission. I hope the Government will accept of the appointment of a commission.

SARDAR BUDH SINGH : Sir, My submission is that the resolution moved today is the last request after having made so many representations so far. I would like to explain to you the consequences of it. Justice demands that the operation of a law or Regulation should be just and equitable and there should be no likelihood of the people being put to unreasonable difficulties. Here, we are referring only to the cases relating to the Income Tax Department and there is no propaganda against the Regulation. This Department is causing serious troubles to the people. However one cannot but submit to the wills of the strong. When we go out, a large number of people surround us and make various complaints against the Income Tax Department. Therefore, I submit that a commission consisting of the leaders of the groups in the Praja Sabha and the official and non-official members also, should be appointed who may suggest some measures to save the people from the hardships imposed by this Department.

When the Income Tax Officers enforce this Regulation in their Illaqas, they do not proceed fairly and one is taken aback at the maltreatment of the officials serving in this Department. They think that with an increase in the proceeds of the income tax, the number of posts in this Department will also be increased and therefore they try their level best to realize as great an amount of income tax as possible. If this is what this department aims at, then it is extremely dangerous for the country and the people.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You always suspect the motive of the Government servants.

SARDAR BUDH SINGH : If discussion regarding the mode of conduct of the Government servants is prohibited, I would not say anything. I am describing the unjust actions of these Government servants.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : No, no. That is not the meaning. What you say is that the income tax will go on increasing to increase the staff. That is not the motive. Your opposition is all right. I have no objection.

SARDAR BUDH SINGH : If they are convinced that the Department will itself remove the difficulties, in that case there is no need for this, but if the conduct of the Income Tax Department is arbitrary and if discontent increases, the Government will have to face grave difficulties. The people will take to wrong course and thus it will add to the general unrest.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Sir, from the wordings of the resolution moved by Wazir Ganga Ram, it appears that public grievances are being put forth, but instead of speaking about these, the conduct of the officers of the Income Tax Department is being discussed that their treatment is not sympathetic. I want to make it clear that I have seldom received any complaint, and if any complaint was received at all, the person complaining was convinced. Only one or two complaints have been brought to my notice. Sardar Budh Singh Sahib has himself explained that as soon as we go out we are wexed by the people who make complaints regarding the income tax. The fact is that Sardar Sahib knows and feels every thing, but he is saying all this in order to get rid of the people. (Cheers)

Do you not have any regard for the zamindar, who pays land-revenue whether crops succeed or fail and whether there is canal or

not. The poor zamindars under any circumstances have to pay land-revenue which forms a great part of the income of the State. Income tax is levied on the income only and it is charged on the profit which is saved after deducting the expenditure. It is naturai that everybody experiences trouble when paying money. I too feel it because I have to pay Rs. 250.

MIRZA M. A. BEG : This is charged on the profit that your Honour gains.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : In our case, it is charged on the salary and in the case of the bankers, it is charged on the profit. But when I think of the zamindars, I feel more for the zamindars than for myself. The "Advocate" which has been referred to by Wazir Ganga Ram is in itself an interested party because of his being an income tax expert. The expert's duty is to advise but he excites the people and establishes his own authority. (Laughter)

Iast year in accordance with the resolution of Sheikh Mohammed Amin, income tax was imposed on Rs. 2,000 instead of Rs. 1,000 while in British India, it is imposed on Rs. 1,000. In the State, the residential houses and Postal Bank certificates are exempt from the payment of the income tax while in British India it is not so. In the Punjab, it is levied on the residential houses also.

MIRZA M. A. BEG : In the Punjab, it is not imposed on the Postal Bank certificates.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : In the State, it is imposed on the profits, but in spite of that I wonder as to why the people are complaining against it. Within a period of one year from the enforcement of the Income Tax Regulation, the income tax has been levied on Rs. 2,000 instead of Rs. 1,000. The residential houses have been exempted but I fail to understand why a necessity for a further amendment is being felt.

A VOICE : It is not an amendment but a complaint.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : In British India there is only one appeal in income tax cases, while here two appeals are allowed. And in spite of that I have not received any complaint. Can you cite an instance of any one who complained to me and where no proper action was taken? I am

surprised to find that none of those Praja Sabha Sads who are wealthy and who are money-lenders, has either moved or supported this resolution. Wazir Ganga Ram Sahib, the mover of this resolution is a zamindar also and thus he sails on both the boats. On one hand, he demands concessions for the zamindars and on the other hand, he says that the rate of income tax is excessive. Income tax is levied on profits only whereas land-revenue is a fixed tax on the zamindar whether the harvest succeeds or fails. When the zamindar's case comes up, all say that every thing is being done for the zamindars. As a matter of fact what has been stated by Sardar Budh Singh, that when they go out, people surround them and thus they are compelled to plead their cause, is true. (Laughter)

If any complaint is brought to my notice, I am prepared to consider it sympathetically and very gladly. Under these circumstances, there is no necessity of the appointment of a commission. Wazir Ganga Ram Sahib, has, by moving this resolution won laurels for himself. Now I think that he should withdraw this resolution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (Addressing Wazir Ganga Ram) : Do you withdraw your resolution.

WAZIR GANGA RAM : Had I found that there would be less votes in my favour, I would have withdrawn my resolution, but under the present conditions, I am not prepared to withdraw it.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SIŃGH JI : If he wants to see his resolution disapproved, let him do so. We have no objection.

The above resolution was lost by 38 votes to 32.

RESOLUTION NO. 3.

KOTWAL LAKHMI RAM : "This Praja Sabha recommends to the Council that a commission of official and non-official members be appointed to suggest measures for the abatement of the ever-increasing grievances due to curruption".

KOTWAL LAKHMI RAM : Hon'ble President ! There is no need of entering into a lengthy discussion about bribery when there had been a sufficient discussion on a bill for the prevention of bribery, introduced yesterday by my friend Mr. Jagat Ram Aryan. The reason for moving the resolution is that the poor people are much vexed and ruined as a result of this

evil practice being ever on on increase. The Government has framed some rules for its prevention but owing to want of supervision or on account of these rules being not enforced, bribery is increasing. There is no doubt about the fact that the Hon'ble Ministers have done their best to keep up an active correspondence. But these Government servants who have been let loose by the Government in the distant Illaqas do not care for anybody and are feeding themselves fat at the cost of the poor people because they know that as there is no motor road no officer will be going there on tour. And if by chance any officer takes the trouble of going over there, he in a day or two can neither succeed in discovering the truth nor can the people explain their real difficulties to him and at the same time they are afraid that this officer will go back after a day or so, but after that these servants will become inimically disposed towards them. The corrupt servants are confident of the fact that neither any officer will take the trouble of touring these hilly Illaqas nor can the poor people come over to Udhampur or Jammu and afford the expenses for procuring evidence and thus be successful as against such officers. Now the question is why bribe is given without any reasonable cause? The reason is this that when the police officials beat the people with sticks and place their hands beneath the legs of charpies and when many other severe punishments are inflicted by other similar departments, at that time none except God is their witness. Therefore the poor and helpless people in order to save their lives, have to gratify them somehow or other or else they may have to risk their lives. This is what happens in the distant Illaqas. In this case the following proverb holds good :—

> A lump of "Gur" in order to explain its grievances approched all from Thanedar right up to God. It was a big lump when it started from home but very little was left of it when it reached God. When enquired by God as to what had happened with it, it answered that when it set forth from home, it was a complete whole and every body ate it in the way. It requested God to be pleased to eat up whatever remained of it so that it would get rid of this world.

In view of these difficulties, I would submit before this House that a Commission consisting of official and non-official members be appointed which may suggest some remedies for it and thus rid the poor people of this increasing evil. At the same time, it would not be out of place to submit that by the time the Commission thinks out some remedy, the Hon'ble Finance Minister or the Governor may undertake a tour very soon and find out the truth in the matter and may suggest some remedies till the appointment of the Commission.

MOULVI MOHAMMAD ABDULLAH : Sir, I want to submit certain facts relating to this resolution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Do you want to support the resolution? You have not stated whether you would support or oppose the resolution.

MOULVI MOHAMMAD ABDULLAH : I would like to submit certain things in support of this resolution. The first thing is that first we must look to the root cause of disease and unless the root cause is discovered, the treatment is absolutely wrong. The practice of bribery is prevalent in the State from a very long time and complaints are received in this connection even now. I want to submit as to what were the reasons under which the necessity for the appointment of the commission has been felt. The fact is that the State service is considered, as a profession, a means for earning livelihood and therefore the State servants have developed this mentality that like other professions bribery too is a means of earning livelihood. They do not consider service to be a sacred duty which has been entrusted to them by the Ruler. If the Government servants understand the Government service in its true sense and consider it to be the performance of a sacred duty and not a means to earn livelihood, surely bribery will disappear in no time when from a Chowkidar right up to a Minister such a mentality is developed and when they fully understand that service has been entrusted to them by the Government as a sacred duty. In that case the necessity of appointing commissions etc. would not arise. Such mentality already exists in the Ministers. The Ministers do not take bribes. If this sort of mentality is developed among all the servants, it is good. (Cheers)

Why bribery is prevalent in the country? It may be that some of the officers or servants do not take bribes but generally the Government servants have looked upon bribery a means of earning livelihood. The general character of human beings developes in line with the progress of mentality. If there is no flaw with the mentality, morals will also become good.

This evil will continue so long as the mentality of the people with regard to bribery is not changed. The increased longing for bribery will go on promoting extravagance and thus luxury and immorality will be dominant.

I want to submit that bribery about which there is so much hue and cry, is a moral evil and the moral evil is produced at a time when the people take it to their heads that Government service is only a

means of earning livelihood and when they do not consider it to be a sacred duty. This spirit exists among the Ministers but when it is fostered even in the minds of Chowkidars, the bribery will itself disappear. Ministers of our Government are the custodians of the life and property of the subjects. It is their duty to see that this noble sentiment is created in the minds of every State servant and service should be regarded as a sacred duty.

I have just now stated that bribery is a moral evil. The Minister of Education too has remarked that bribery is moral degradation. I appeal to all officers and other Government servants to understand that service is not merely a means of earning livelihood. A Muslim would not eat a prohibited thing, even he may be starving. Similarly, a Hindu would never eat a forbidden thing.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He does not take it in public. (Laughter)

MOULVI MOHAMMAD ABDULLAH : Just as a Hindu or a Muslim does not take a prohibited thing on religious grounds, similarly if they consider bribery also to be a prohibited thing, it will itself disappear. If only orders are issued against bribery, I think, it will have no effect and this evil will never be stopped. Law is already there. But in spite of it, bribery is not being checked. What it is due to? I would submit that there are two kinds of offences. One is of such a nature as can be easily proved by evidence etc. for instance, a person striking the head of someone with a stone ; the other is such as relates to morals and this can be concealed. In order to stop moral offences, it is necessary to change the mentality of the people, otherwise it becomes impossible to detect or prevent them and no betterment whatsoever can be expected.

Yesterday one of my friends stated that bribe is taken from people by force and fraud. It may be that in some cases, this practice is prevalent in Police or Forest Departments, but generally, so far as my experience goes, the number of those who give bribe is larger than that of the persons who take it and it is so because bribery is the best means to achieve one's object. If these people will stop giving bribes, bribery will itself disappear. (Cheers)

The people, in order to safeguard their interests, themselves offer bribes. If a zamindar does not present something to a Naib-Tehsildar after disposing of his domestic belongings, his interests are not secure in transactions of transfer of land alienation, adoption and "*Duktar-Khana-Nashin*". The employees are bribed in order

to get the transfer effected in favour of *Dukhtar-Khana-Nashin*". When appeal is filed or a complaint is lodged in the court of the Governor, case is decided against the person concerned. The zamindar comes to the Lambardar and says that, in spite of his recommendations, he could not succeed in his case. The Lambardar replies that Naib Sahib had tried his best in good faith but all this is due to our lot ! I would submit that this is not a mere tale but is a fact.

Some corrupt officials take bribes both from the plaintiff and the defendant. Subsequently when the case is duly decided, the money is returned to the party losing the case with the remarks that in spite of their best efforts they could not help it. The money already taken from the other party is retained by them. (Laughter)

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : The remark that some scope has been left for the appeal might also be made by such official.

MIRZA M. A. BEG : The old order of things has changed now.

MOULVI MOHAMMAD ABDULLAH : I would like to submit that a certain police officer who is retired now used to swear that he never took bribes, but if anybody would offer him bribe, he would say to him to place it under a yonder stone as he would not touch it. When none remained there, he used to put the money in his chest. (Laughter)

Again when anybody would offer bribe, he would say to him to place it in that box as he had sworn that he would not take bribes.

I have brought these few facts to your notice. I am a villager and have considerable experience about village life. I would like to submit that bribery is rampant everywhere. Lambardars and Zaildars are forced to induce the people to offer bribes. They ask the people to pay a certain sum to be offered to the concerned officer for achieving their end ; but afterwards they share it equally with the officer concerned.

My respected friends who are present in this House may not be misled to believe that all persons fall under the same category.

خدا پنج انگشت یکسان نکرد

"God has not created all alike."

It is because of their helplessness that the Zaildars and Lambardars do so. They are thus led to consider it to be nothing serious.

نصف لی ونصف لک هذا قوم جاهلو ۔

"Let us divide it equally between ourselves, for they are ignorant people".

There are various means of giving and taking bribes and it is impossible to find out a definite proof for it. This is a secret affair between the parties, like that between a lover and his beloved. The corrupt officials in the country are afflicted with moral turpitude. On one side they rob the State treasury and on the other they lay hands on the poor subjects. Now the point to be considered is as to what would be the condition of a country where the mentality of the State servants is such that they consider bribery a means of earning their livelihood or a trade and always be on the lookout for getting more money. Speaking from my personal experience and observation, I can refer to Police, Revenue and Forest Departments by way of example. I have no experience of P. W. D.

A VOICE: Have not you got any experience of Customs Department?

MOULVI MOHAMMAD ABDULLAH : Bribe is taken in Customs Department also. If any person is found to be corrupt there, he should also be punished after enquiries. Bribery is prevalent in trade circles also and thus the poor people are being hard pressed under it. In reply to a question, the Hon'ble Prime Minister had said that bribery cannot be checked so long as the mentality of the public is not changed. I am surprized how the mentality of the public can be changed. Bribery will never be prevented unless the mentality of the State servants is changed.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The Hon'ble Prime Minister is not present in the House otherwise you would have got the reply.

MOULVI MOHAMMAD ABDULLAH : Yesterday, when the bill for checking bribery was being introduced in the House, the mover uttered something which is revolting to human nature. If at all there is any truth in this allegation, I would make bold to say that it invades the very spirit of our moral being. What would be the fate of that Government

where such things take place. I have also related a similar case before Middleton Commission. Sir, I do not know English and therefore I do not know what they had recorded in this connection. When the character of a people is rendered degenerate, their ideal of life then converts entirely in accumulating wealth, without caring least for the fact that the morals would suffer thereby. However there can be no reform so long as the administration of the Government is not on the lines of Law of Nature. The king is like the sun. It is written in the Rig Veda that just as sun takes up the water of sea in the form of vapours and sends it down in the form of rains subsequently, similarly a king collects revenue from the subjects to be spent later on for their betterment.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) : I had already asked you whether you want to support or oppose the resolution.

Moulvi Mohammad Abdullah : I support the resolution. But so long as the commission is not apppointed, an honest officer may be appointed who may suggest measures for checking corruption and his suggestions may also be taken into consideration by the commission so that it may be possible to prevent this evil. This would be very reasonable. With these words, I conclude my speach.

Lala Ram Lal : Sir, in support of this resolution, I want to speak a few words. There is no doubt that my friend, Moulvi Mohammad Abdullah, has thrown light with regard to such affairs in the State. I want to submit something regarding Poonch. The extent to which corruption has reached in Poonch is beyond description. The low-paid officials of that place have deposited large sums in the Banks and have thus acquired property worth thousands of rupees. All this goes to prove that they have acquired this wealth by unlawful means. When Wazir Sahib proceeded to Sadhunuti on tour, complaints against the officers were brought before him. In the Forest Department there, the guards make a demand of two rupees per zamindar per year. Regarding the Patwaris and Police officials, it needs no mention. It is an admitted fact that the pays in the Police Department there are very low and therefore this adversely affects the zamindars. Many complaints which were made against Patwaris and Police officials are still under consideration. There is no doubt that in reply to many questions with regard to the State, it has been stated that it is very seldom that complaints regarding bribery are brought before the law courts. The fact is that the persons who take bribe are too clever to fall in the clutches of law. The

law already in force regarding bribery has not proved effective. The resolution which has been moved by my respected friend is reasonable and this evil practice must be stamped out. As many times questions have been put in the House in this connection, therefore the Government will surely support this proposal. It has also been stated that there is no complaint about bribery but I would say as to how such complaint can be brought to notice. The commission is therefore greatly needed at this time, so it should be immediately appointed.

Before concluding my speech, I would submit that laws which are framed in the State should be made applicable in Poonch also. Therefore members from Poonch should also be taken on the Select Committee so that the members of that place may keep themselves informed with the affairs of the State.

SARDAR BUDH SINGH : Hon'ble President! Apparently this problem seems to be an ordinary one, but I think the stability, prestige, authority and popularity of the administration solely depends on this resolution. It is the sacred duty of every high and low employee that keeping in view the welfare of the subjects, they should treat them sympathetically. It is a great misfortune that the people are under the impression that nothing can be done without giving bribes. If the officers who are occupying the seat of justice and who are entrusted by the Ruler with the sacred duty of administering justice, take to corruption and dishonesty, then, no doubt, the subjects will be justified in believing that justice is not available to all but it is sold. That is to say that he, who pays more for it will have it. The duties entrusted to all the employees appointed by the Government are meant for the welfare of the subjects, administration of justice, maintenance of peace and order in the country and establishment of amicable relations between the Ruler and the ruled. If this sacred duty which has been placed in their hands by Almighty God and the Ruler, is betrayed, the people are put to trouble by taking bribes from them as is done at present, then undoubtedly, a feeling of distrust and disaffection will be created among the subjects.

During the current session in reply to one of my questions, I have been supplied with a list of cases of those Thanas where there is no Court of Law excepting a Sub-Inspector Police or a Sergeant who is all in all, master of his will with no one to supervise him. I am told that out of 5,023 cases challand, 1,983 were such as resulted in conviction, the remaining three thousand were dismissed. You can imagine that in so many cases which were in fact frivolous and hence dismissed how large an amount might have been taken as bribes.

Bribery is rampant in many Departments and matters are proceeded with much indecency. In spite of their being handsomely paid they stoop to taking bribes whereby the morals getting spoiled adversely affect the poor people.

In course of my service, I have seen many cases. A Tehsildar for the sake of taking bribe teased a person to such an extent that the poor fellow was forced to pawn his virgin girl for Rs. 70 which were paid to the Tehsildar as bribe. It is thus that such officers become more and more greedy. Mr. Jagat Ram Aryan's statement of yesterday that women are pawned was laughed out. In fact immoral and corrupt employees generally do so. In case they find no opportunity for this, they engage a person of bad character and through him they act against justice. Similarly a Tehsildar began to keep up pounds in a Ghara. He used to say that there was no use of serving without filling a Ghara with pounds. When I was a Settlement Tehsildar, a Revenue Tehsildar had collected a lac of rupees through bribe within a year. When he was transferred, he took a lac of rupees along with him, but when I was transferred, I reached another place by borrowing thirty rupees. I do not mean to make a show of my honesty. But I submit that in fact honesty is a very difficult thing. I feel ashamed in stating that during the course of my service, I have come across many such cases. It is but human that one can not resist temptation, when something is offered as gratification.

Once a European Settlement Commissioner enquired of me whether a certain officer is honest. I replied honesty is a hard job. I myself am not an honest man. He was surprised and said "Do you tell lie also." I said "certainly not." He said "this is absolutely wrong." You are admittedly an honest officer. I told him that when a complaint of bribery against any Patwari is brought to my notice, I make enquiries and ask for their explanations. They themselves admit that they had done so, because they are getting only 8 or 10 rupees a month, and they have to support their families besides keeping horse, a cow and a buffalo and have to bear the expenses of officers on tour and have to put on decent clothes. A sheep or a goat cannot be maintained with four annas daily. In such circumstances I was compelled to file the case. What is the use of an officer's being honest when his subordinates openly take bribes and no responsible officer can check this. In fact the high and low officers have their separate explanations regarding the matter. I know that some high officers are honest and we are fortunate in having them, but they do not fully supervise their subordinates, nor do they put in their best efforts to check bribery.

In 1977, I had suggested to the Ministers to undertake a tour in the mountainous tracts so that they may come to know what a life the poor people live there. But my request was not acceded to. Some 15 years ago, in Srinagar, I invited the authorities to co-operate with me in devising ways and means to check bribery under which the subjects are being hardpressed, but no heed was paid to it. I had written a book فریاد رعیت "The grievances of the Subjects" and read it out to the people at Hazuri Bagh. In the said book, I dealt with the subject of bribery but it was not published as the Government in Council had already given me an assurance that bribery and grievances of the subjects would be redressed.

Again when His Highness the Maharaja Bahadur was the Senior Member, I had submitted a detailed letter to him for introducing measures for bribery which was ever increasing and which would spoil the relations between the Ruler and the ruled.

When, in spite of so much time having elapsed since, the authorities have not taken any serious steps to put an end to this dangerous evil of bribery, how this can be expected that it may be checked merely by the personal efforts of a high officer. The Hon'ble Home Minister while speaking on Mr. Jagat Ram Aryan's draft regulation had stressed that in his opinion, the persons who bribe, can be compared to a Hindu or a Muslim who takes prohibited things. He has further remarked that bribery has been checked to a great extent by the interest of a big officer. I would like to ask how many officers have shown special interest in the checking of bribery and considered it a supreme duty.

Can you expect that a person being at a distance of 150 miles from this place in a snowy and hilly Illaqa, from whom bribe has been taken or who is being compelled to give bribes may come to this place along with his witness to lodge the complaint on two rupees stamped paper and prove the case? How could this be possible? As such, it is very difficult to prove such cases. The evil of bribery is in full swing and the subjects are greatly distressed. If the big officers of the Government, Ministers and the Heads of the Departments are desirous of faithfully discharging their duty and feel it in their hearts that duty demands that bribery should be checked so that the subjects may not tend towards disaffection. In case they realy understand the duty of serving both the Government and the subjects and want to discharge their duties, they should while touring, not confine themselves to the inspection of Tehsil Headquarters, office and treasury only but give a patient hearing to the grievances of the poor subjects and acquaint themselves with their condition. Somehow or other they should try to know the treatment of the corrupt officials with the subjects.

They should not wait for the complaints. They should go about in disguise to discern the facts against the corrupt officials. Be sure that it is quite honestly that we are complaining that bribery is in full swing and the subjects are greatly distressed thereby.

When responsible officers of the Government proceed on tour, generally Lambardars, Zaildars, Sub-Inspector Police, Tehsildar, Naib-Tehsildar and other concerned officials of the Departments surround them. In their presence who will have the courage to put forth his grievances or complain against any corrupt official. These helpless petitioners are not even allowed to go near such officers. It were better if such subordinate officers were to undertake the tour and the true information was collected from the people. There are many ways by which true facts can be ascertained. Even sitting at Jammu if it happens that a certain official is corrupt and is putting the people to trouble, he should be awarded an exemplary punishment, otherwise making enquiry through subordinates is similar to the story of that of a wolf which is asked to report about the condition of sheep and submits that all are well. This system is not sound.

A practice had been prevalent with previous Rajas, Maharajas and big officials that they used to enquire about the grievances of the people in disguise. I think it necessary to mention on this occasion something of the late Maharaja Partap Singh Ji and Maharaja Ranbir Singh Ji. Every one from the lowest to the highest persons of all ranks, had a free access in their Durbar. An enquiry was made from every one as regards the condition of his village, subjects and in this way the corrupt officials remained always in fear, but now it is otherwise. It is said that our Maharaja is an embodiment of justice but he is surrounded in such a way that no body has access to him ; hence no complaints can be brought to his notice and the officers around him guide him in the manner they like. Our prayers cannot reach him. We cannot have even the Darshan of our Maharaja. Every time we are told that every thing is done for the betterment of the subjects and it is the keenest desire of the Government and the Ruler that the voice of the subjects should be heard by His Highness as he is our and we are his. When it is said that the relations between the Ruler and the ruled are alike that of a farther and a son why we do not have access to our Ruler. Now that circumstances are such that bribery is taken in broad day light and no employee is not even least afraid of it. This commission is in a way a help to the Government. We do not intend interfering with the administration of the Government or get complaints made against the officers and employees. Our earnest desire is that the responsible officers of the Government, official and non-official

members of the Praja Sabha should put their heads together in order to devise ways and means for uprooting this dangerous evil. I think it necessary to make it known to the House that at times even the legitimate grievances of the public against the subordinates are not enquired into by their immediate officers in spite of the fact that the complaints are true. They overlook the complaint against the subordinates on the grounds that the prestige will be lost and the dislocation of the work of the Department will be caused. On the other hand undue favour is shown to the corrupt officials. This is the plea of those enquiring officers who are themselves corrupt and who share the unlawful receipts. My contention is that the prestige is not maintained by injustice, compultion and bribery but by honesty, justice and welfare of subjects, this object can be achieved. Those officials who extort money from the subjects through unjust means for filling their own belly are not in the real sense loyal to the Government and throne.

I want to make the point clear that anarchism and revolutions are not as dangerous as bribery is. The inevitable result of this pernicious act would be this that when subjects will be looted and vexed, the sentiment of loyalty will disappear from their minds and thus there will be revolution. There will be a general disaffection against throne which would be very dangerous.

I think it necessary to say something about Mr. Talbot, the then Settlement Commissioner. I regret to say that he is not alive now. He used to enquire secretly about the condition of the subjects while on tour. There was no much corruption in the Settlement Department in his time and afterwards it increased. The Settlement employees received as bribe the sum of four and five lakhs of rupees from each Tehsil. Similarly the damage of lakhs of rupees is caused in Forests. Once while speaking on Budget, I pointed out that damage is caused in forests through bribe; one of my friends said that in the absence of any proof this remark was uncalled for. I said that my conscience tells me so. Some time it was found that a loss of lakhs of rupees has been caused. The point is that by this it is not only the subjects who are put to loss and who are treated unjustly but rather the Government also suffers a great loss. The interests of both the Ruler and the ruled are secure by the prevention of bribery. In case you are desirous of maintaining peace and rendering service to the Ruler and the ruled, then it is absolutely essential to devise means for appointing a commission and finding an immediate solution for the prevention of bribery.

Big officials do not care for petty officials. They are occupying themselves in looking after their own interests.

I have worked for a long time in Settlement Department and I can say that in those days, the Settlement staff received at least four or five lakhs of rupees. I am generally asked why I have left service? In these circumstances it was impossible for me to continue in service. It is deplorable that no steps to stop bribery are taken. No officer or corrupt official is punished. How many cases of such corrupt officials are on record wherein the offender has been punished.

In the Budget Session, when the Bill of suppression of Brothels was passed, I had remarked that this law will result in bribery. This has proved true as bribe has been taken from some of the prostitutes. If the Government desires that the administration should run smoothly and honestly and Government is desirous of helping us, then it should extend its helping hand towards us. We are prepared to submit resolutions which can prove useful. With these words, I support the resolution and resume my seat.

KHAWAJA AKBAR DAR : While supporting this resolution, I submit, that bribery is increasing day by day. There is no department where bribery is not in vogue particularly in Mufassils. In Mufassils bribe is generally taken. If the corrupt officials do not get bribes, they consider their life and property in danger as if they have preferred bribe over their faith. Therefore the appointment of a commission is necessary.

To check bribery it seems desirable that the pays of the petty officials should be enhanced. I trust that the Government officials will give their immediate consideration to it, as the good news of falling of yesterday's Bill of Bribery has afforded relief to and encouraged the corrupt employees. Therefore side by side, with it, necessary measures for the prevention of bribery should be devised otherwise the oppressed have none but God Almighty to protect them.

آہ ۔ظ ۔ماں کند فرزند ظالم را کباب

COLONEL ABDUR RAHMAN : I would like to make brief remarks in support of this resolution.

A VOICE : Brief remarks.

COLONEL ABDUR RAHMAN : Corruption is found in every community. Some 30 years ago, it was in full swing. Afterwards it lessened and then again became prevalent as before. When proper action is taken in this behalf, the evil subsides. It is a well known fact that many officials who had entered service as ordinary officials and have risen to high ranks were always anxious to put an end

to bribes. They issued stringent orders to this effect. I remember that in our district Khan Bahadur Mr. Abdul Qayoom was Wazir Wazarat, he had issued many instructions and tried his best to stop bribery. I have myself seen those instructions. The result of all this has been quite satisfactory. Similarly many Wazirs Wazarat and Judges tried their best in this respect. Both of the Provincial Governors are trying their best to put a stop to this practice. I know the conditions in Kashmir. Once a person in Gilgit (I do not want to disclose his name) received bribe during the time when Rao Bahadur Thakur Janak Singh Ji was the Revenue Minister. The matter was enquired into and strict action was taken against the official with the result that bribery lessened.

I remember the case of "Nakda" Subedar. Colonel Budhi Singh was a Major in the Army and target-firing was held there. Nakda Subedar said that the entire regiment except himself have failed in the test. Others asked as to how has he passed when others who fronted the enemy failed. He said that somehow or other he has passed. (Laughter)

I want to submit that in fact our Ministers are very honest but it is their duty to see to others as well.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What should they see?

COLONEL ABDUR RAHMAN : The Hon'ble Home, Finance and Revenue Ministers, Khan Bahadur Mr. Abdul Qayoom and the Governors are all very honest. But when any corrupt official is caught, no attention is paid in that direction. Now time has come when attention has to be paid in this respect and therefore I support the resolution.

MIAN AHMED YAR : As the resolution has been discussed from all points of view, therefore I do not want to go in greater details.

I want to invite your attention to the word "decrease". From the word "decrease" which the mover has put in the resolution, it is concluded that the evil has exceeded all limits and has taken a serious turn. Therefore it is natural to think of lessening it. One can put up with an ordinary trouble but when a disease exceeds all limits, it becomes impossible to bear it. The patient longs for a little rest to sleep for a while. The disease being extremely unbearable, the patient takes it to be a great boon to be a bit relieved and cannot even dream of complete recovery.

Therefore I would submit that it is under the dictates of human

nature that Kotwal Lakhmi Ram has requested in his resolution for the lessening of the evil. It is correct to say that many frivolous cases are brought against poor people, only with the idea of extorting bribes from them. Today in reply to a question, on behalf of the Hon'ble Judicial Minister it has been stated that he is sending for the files of acquitted persons in the Kuth smuggling cases in order to see as to how many frivolous cases of theft etc. in connection with Kuth smuggling have been instituted and undue advantage taken, so that necessary action may be taken against such procedure.

My submission is that another field where bribery is prevalent exists in the shape of different firms in whose favour forest contracts have been granted. Bribery is in full swing, so far, as these firms are concerned. Under special circular, some special Magistrates have been empowered to try such cases as relate to the timber belonging to the firms. These firms have some river guards who put the people to great trouble and leave them only on receiving bribe from them. Since, in every case tried under these circulars, the accused are generally punished and thus the people are overawed by the presence of these guards. Many circulars were issued in connection with Kuth and special powers have been granted to the Forest officers to try cases relating to Kuth in spite of the fact that the persons guilty of offences relating to the Kuth are none but the officers of the Department concerned. This, too, has caused a dread among the people and has given an impetus to bribery. It has been found that when they want to implicate a poor man, the employees of the Forest Department place some pieces of Kuth in his house themselves and afterwards prosecute him. When a search is made, one or two pieces of Kuth are discovered from his house. You should think it for a moment and see as to who can he be so stupid to get imprisoned by stealing a few pieces of Kuth. It is like this that things happen in the ordinary course of events. The persons who are appointed to keep watch over the Kuth Forest are generally given to such mischiefs that if a poor man has a beautiful wife and if he as her husband stands in the way of such persons having illicit connections with her, they would post the husband to a distant Kuth forest for keeping watch and thus find an opportunity to gratify their lust and sometimes get them imprisoned by making frivolous charges against them. Under these circumstances it is necessary for the Government to devise such measures as would put an end to these troubles. Now that this evil has gone too far, it is very necessary that a Commission should be appointed. This resolution has been supported from all sides and whosoever supports it he is discharging his duties sincerely; therefore I support this resolution.

SHEIKH ABDUL HAMID : This cannot be denied that a larger population of the State is leading an utterly miserable life and people are extremely poor. And if to add to their miseries, that are overcome by the evil of bribery ; God save them. The analogy of beating the dead is rightly applicable in their case. Therefore the proposed commission is very necessary and an inquiry should be held as to where and how bribery is being received and how it can be checked? I want to relate an incident to your Lordship. A person had two sons and both were in service. A friend of his asked him whether the elder son was employed on which he replied in the affirmative. On further question the father replied that his elder son was drawing Rs. 100 per mensem. His friend again asked him whether the elder son also had God's favour (*Khuda Ka Fazal*) along with it and the reply was in the negative saying that he lived on his pay alone. On being asked about the pay of the other son, he replied that his monthly pay was Rs. 20 and that besides he also had God's favour (*Khuda Ka Fazal*) with it. (Laughter)

His friend was much pleased to find that the other son was better off. He was not much pleased in the case of the elder one who was drawing Rs. 100 per mensem. With Rs. 20 there is an additional income God's favour (*Khuda Ka Fazal*) and this is why there is a general cry for securing Government services. The root cause of all this is that they know that by coming into Government service, they accumulate wealth and particularly by unfair means. This is why people are fond of Government service.

If bribery is prevented the educated and the considerate persons would try to earn money by other methods. Some of them will start factories, some will take to trade, while others will devote their attention to industries and the people will not hanker so much after services. I remember that while speaking on some point in Srinagar Session, I stated how bribe is taken. If a certain person is prosecuted for an offence and he, in order to save himself, would bribe that very officer and thus save himself from punishment. Another way to take bribe is this. For instance take the case of a Forest Guard. Suppose a tree is worth Rs. 100 and the Forest Guard allows it to be cut on receiving Rs. 5 or Rs. 10 from a person. Out of this sum he will have Rs. 2 or Rs. 4 for himself and a portion of it will go to the Ranger. In this case it is the Government which suffers loss. The person who is to buy will pay this amount gladly, because by giving this meagre sum he will save Rs. 90. But the Government suffers to a great extent. If some means are devised for the prevention of bribery, it will not only be beneficial for the public but it will add to the income of the State also.

My submission is that once a Zaildar, some Lambardars and a large number of zamindars approached a high officer and complained that a certain Tehsildar had received bribe. But that officer, instead of going to the spot and holding an enquiry for ascertaining the truth, ordered that the Zaildar and the Lambardars be dismissed. Their case is similar to that of a "Jat" who went to a Mullah to be exempted from prayers but instead of getting exemption from prayers, he was made to observe fasts as well.

Under these circumstances, was it not necessary to send for the Tehsildar and to hold an inquiry into the matter so that it would have served as an example for others. But on the other hand, the people were silenced so that they might not complain against any body; and if they did so, they would be treated in the same way in which the Zaildars and the Lambardars were treated. The result of the dismissal of the Lambardars and Zaildar was that all those who did not receive bribes for 3 or 4 years did so amply and freely. It is an admitted fact that it is highly necessary to stop bribes and there are not only numerous complaints in respect of it but rather there are thousands of such complaints and particularly the pleaders who are intimately connected with the masses, are fully aware of these complaints.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : But you never pointed it out.

SHEIKH ABDUL HAMID : We submitted many times but no body pays any heed to it.

All the pleaders were of unanimous opinion that a commission should be appointed for the prevention of bribery. I, on these grounds, strongly support this resolution.

THE HON'BLE MR. WAJAHAT HUSSAIN : Sir, I thought that there was no necessity of so many speeches after I had made an announcement yesterday on behalf of the Government. Before accepting this resolution, I would like to make it clear, as had already been declared that the Government is thinking of appointing a commission consisting of the official and non-official members of the Praja Sabha whose duty will be to suggest measures for the prevention of bribery. After today's speeches I thought it necessary to contradict two or three facts which have been referred to by the Praja Sabha Sad Sahibs. Firstly from these speeches, it appears that it is only in Jammu and Kashmir State where bribery is in full swing. The fact is that things nearer our own eyes seem bigger whereas those away from us appear smaller. Those who have

some experience of outside world know that bribery is not found in this State alone but it is found everywhere in the world. Thus to say that it is in this State only that bribery is prevalent, as is evident from the speeches, is wrong. Certainly it must be prevented. The second thing which I want to make mention of is that I think it is not the intention of the Praja Sabha to appoint such a committee which may undertake a tour throughout the State and after touring all the big Illaqas, Ladakh, Bunji, Mirpur and Kathua and after thoughtful consideration, may advise the Government as to how bribery can be stopped. Some Praja Sabha Sad Sahibs have stated that the Commission will not be entitled to hold an inquiry into any charge against an officer, but it should devise some measures for the prevention of bribery. The officers who go on tours should not only inspect the Tehsil and the Judge's Court but should come in contact with the common folk and look to their complaints. If they find that a high officer has received bribe, they must inquire into that and ascertain as to how far the charges against the officer are correct. If it is correct they must take immediate action and that officer will be dealt with according to law. And the Government will accept all those measures for the prevention of bribery which the committee puts before them. I stated it yesterday also that the Government will appoint this committee before the commencement of this Session.

PANDIT RAM CHANDRA DOBEY : Does it mean that the resolution is passed?

MR. PRSEIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Those who are in favour of this resolution may raise their hands. (Hands were raised).

Those who are against it may raise their hands. (Hands were raised)

Resolution passed by show of hands.

RESOLUTION NO. 4.

The Assistant Secretary read the following resolution of Khawaja Saif-ud-Din Shah :—

> "This Praja Sabha recommends to the Council that the trees granted to the zamindars at concession rates be marked according to their choice."

KHAWAJA SAIF-UD-DIN SHAH : The zamindars are not deriving any benefit from the concession which has been granted to them

by His Highness the Maharaja Bahadur according to the recommendations of the Glancy Commission and it is that the timber which is given to them on concession rates is not fit for building purposes. On the other hand fallen and unserviceable trees which are of no use to the zamindars are given to them on concession rates and thus they are compelled to infringe the forest rules. Therefore I submit that those trees should be marked which are given to the zamindars on concession rates. I hope the Praja Sabha Sad Sahibs will help me in getting this resolution passed.

MIAN AHMED YAR : The purport of the resolution is that the trees which are given to the zamindars do not fulfil their requirements. It is written on page 112 of the Forest Manual that whenever a zamindar submits an application, the officer should go to the spot and find out the nature and extent of the requirements of the zamindar. It is necessary that their requirements should be fulfilled and the timber required should be granted to them on concession rates. Besides I would submit that some timber is lying in the Forest which can be given to the zamindars under the existing rules, but there are many obstacles in giving these over to them. This too requires consideration. There are some points which remain under consideration for a long time.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What do you say?

MIAN AHMED YAR : Sir, my submission is that timber should be granted according to the rates.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : That is not the resolution. The resolution only objects to the marking; that the marking of the trees should be made according to the desire of the zamindars and not according to the choice of the officers.

MIAN AHMED YAR : Sir, the resolution reads thus :—

> "This Praja Sabha recommends to the Council that the trees granted to the zamindars at concession rates be marked according to their choice."

I have felt a great need for this and there is general complaint against the Forest Department, therefore, I would in supporting this resolution, submit that this resolution must be passed so that these difficulties may be removed.

SARDAR BUDH SINGH : The purport of the resolution is that the trees which are given to the zamindars under the existing rules are defective. There are some trees from which the zamindars extract oils, that is, that part of Chil trees from which the oil is extracted, becomes dried and gradually whole of the tree becomes quite useless and it is such trees which are given to the zamindars on concession rates. Therefore it is desirable that those trees should be given to the zamindars which they choose for themselves. This is quite reasonable. In order to get trees he has to give bribes also so that the total sum consisting of the concession rate and the amount given as bribe comes up to be the full price of the trees. Therefore it is an important resolution and should be accepted and trees should be given to zamindars according to their choice. I, therefore, support this resolution.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Sir, Khawaja Saif-ud-Din Shah Sahib has moved the resolution that the trees which are given to the privileged zamindars should be marked according to their choice. It appears that the mover of this resolution is not fully acquainted with the current Forest Rules under which the zamindars are entitled to concessions. Even persons who have very little to do with the Forest Department know that the rules sanctioned by His Highness the Maharaja Bahadur for marking the trees which are given to the privileged zamindars are in force in the State. Such laws and regulations are essential both for the well being of the Government as well as the people. Accordingly it is clearly laid down in para 5 of Jammu and Kashmir Forest Notifications that such trees will be selected by the marking officers themselves and it will be their foremost duty that they should at the time of marking the trees specially keep in view the principle of sylviculture. The trees can, in no case, be given according to their choice, because it is essential for the protection and growth of the trees that keeping in view their present condition only such trees should be cut which are fit to be taken out and this should be done without damaging the other trees. Perhaps a question may arise that the officers mark the trees according to their own sweet will but be assured that this can never be done. When there are rules the officers concerned will not venture to deviate from them by acting according to their own pleasure. It is a general rule for them that if in a Forest there are hundred trees, circumference whereof is less than three feet, they can annually mark one tree out of these for cutting. And if there are trees with their circumference more then 3 feet, in that case one out of every 75 trees; and if their circumference is less than $7\frac{1}{2}$ feet, one out of every fifty trees can be selected for

cutting purposes. But at the same time they must see that the seed-bearing trees are in no case to be cut down. If such trees are cut, there will be a danger of the forest becoming extinct. Since the circumference of such trees is sufficiently large, it is probable that the privileged people may be more desirous of obtaining these very trees. But their persistence in and their demand that such trees must also be given to them, is in my opinion, due to their misunderstanding, and in no case can it prove useful to them. There are some trees which grow on an open place or on some rock and cutting of such trees is also prohibited. In some forests, there are such trees which on account of their beauty present a pleasant sight and it is the duty of the Forest officers to keep such trees preserved. As regards granting of timber to the privileged persons according to their need, the Government has already issued sufficient instructions so that trees the diameter of which is less than one foot are given free to the zamindars. And if sometimes under special circumstances, the recovery of price is necessary that too is nominal. An ordinary employee of the Forest Department cannot fix the price and for this purpose the Chief Conservator of Forests has been vested with full powers. Moreover, the Forest officers are already following the practice of giving trees to the privileged persons in Forests which are situated nearer to them, provided this is permitted by the principle of sylviculture. This too has to be seen that such trees are given as are sound, while unsound trees are not marked. Under these circumstances, I hope the mover will withdraw his resolution.

KHAWAJA SAIF-UD-DIN SHAH : Votes should be taken.

Votes were taken and the Hon'ble President remarked that the resolution is passed by 35 to 30 votes.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) :

RESOLUTION NO. 5.

The Assistant Secretary then read out the following resolution of Sardar Kanhaya Singh :—

"This Praja Sabha recommends to the Council that a commission consisting of official and non-official members be appointed to recommend reduction in the salaries of the establishment of the various Departments of the State and fixing a standard for such salaries."

SARDAR KANHAYA SINGH : Sir, everybody in the course of business keeps in view his income and expenditure and taking into consideration his accounts, he pays much attention to increase his profits and curtail his expenses and this very principle is followed by every Government.

When we look at the budget of the current year of the Jammu and Kashmir Government, we find a great difference between this and the budget for the year 1973 Bikrami. In those days the State treasury remained quite full even after meeting the expenditure so that it may be useful for the country at sometime of emergency. In the present budget generally deficit is shown and when we look at the receipt heads there seems to be a small surplus only, but when we look at the expenditure there is an amazing increase. And a careful scrutiny will make it clear that the present increase in departments, their staff and their large salaries are consuming the wealth of the country. Under the present conditions it is true that out of a total population of 34 lakhs of people, a few thousands are in Government service and those who are unnecessarily paid large salaries are living very comfortably. But on account of world-wide economic depression, the trade is going down and income tax and other kinds of taxes are being levied upon the people. On the other hand, we see the miserable condition of the zamindars. There is a great fall in the prices of the grains and great difficulties are felt in paying the land-revenue. They have sold the ornaments of their females and in these days, the Government service too is not available to the zamindars and they have been much distracted. The unemployment in the country is causing grave anxiety. There are no means to provide labour. Steps for the livelihood of the poor cannot be taken for want of funds. This has always been the main topic in the Praja Sabha Hall. The Hon'ble Home Minister has, in his pleasant speeches often remarked that if there are funds at our disposal the Government is prepared to do everything. Since we cannot refer to the reserved subjects, we have to fall back to the budget expenditure. Now the question is where will the funds come from?

There is one suitable way for this and that is that the expenditure should be properly reduced and I have moved this resolution in the House for the same purpose. Those Government servants who are receiving big salaries must never be displeased but on the other hand, they should regard it as their duty to render some self-sacrifice in these critical times of economic depression and thus be helpful to us. This will set an example of magnanimity and by doing so, the Jammu and Kashmir Government will be the first to achieve this glory in the whole of India. I have full hope that they, by accepting the principle of bringing about reduction in large

salaries, will show high-mindedness towards the poor subjects of His Highness the Maharaja Bahadur. I do not want to take much time of the House by comparing the detailed figures of the civil list and the budget of the year 1973 with the present civil list and the budget. This will have to be done by the Commission who after carefully considering the past and the present affairs will arrive at a useful conclusion and present the solution to the Government. It would be in the fitness of the things if the scheme if any prepared by the *ex*-Senior Minister of the State, Sir Albion Banerjee, on the basis of his vast experience, is also taken into consideration. I want to make it clear to this House that His Highness the Maharaja Bahadur is a ruler of a very exalted rank and his liberality and large-mindedness is also incomparable and this is due to his large hearted-ness that His Highness was pleased to sanction a gradual increment in the salaries in comparison to those in 1973. Such an idea was suitable to His dignity. But in view of the world-wide economic depression it is desirable that His Highness the Maharaja Bahadur may revise his commands. When the circumstances take a better turn, then His Highness the Maharaja Bahadur may issue commands for its restoration. Therefore I move this resolution and strongly request this House that the official as well as the non-official benches should show broadmindedness and thus add to their dignity by supporting this resolution.

MIAN AHMED YAR : The learned mover has thrown sufficient light on every matter concerning this resolution. Some member of the Conference Party also has given notice of a similar amendment that all the salaries exceeding Rs. 300 should be reduced. In this connection I would submit that in many other countries, the Minister and other big officers, with the idea of improving the financial condition of their countries, have volunteered their services and declared that so long as the condition of their country did not improve, they are prepared to accept reduced salaries.

At present the same is the case in our country. The condition of the country is miserable. It stands in need of the financial help of the Government in different ways. Therefore a commission, as prayed by the mover in the resolution, must be appointed. The resolution does not make mention as to whether 50 per cent. or 75 per cent. reduction should be made in the salaries, but it refers to a general reduction that is what is considered to be desirable and this too makes the resolution a reasonable one. Unfortunately no resolution of the Conference Party succeeds in the ballot but the Conference Party considers such resolution as are meant for the welfare of the masses, as their own and supports them. As such I do not think it necessary to repeat the facts which have been

referred to by the learned mover of the resolution but I want to submit this much that if Rs. 45 were allotted for a particular post, it has now been raised to Rs. 135, as in spite of the fact that in 1977-78 there was a great rise in the price of the eatables (provisions). For instance wheat flour was sold at six seers per rupee but at present it is from 12 to 14 seers per rupee. The cloth which was sold at one rupee per yard, the same can be had at 4 or $4\frac{1}{2}$ annas per yard. Similarly the price of other articles has also gone down. Therefore there seems to be no reason why the highly paid Government servants should not be prepared to accept low salaries. Therefore, with these few words, I support this resolution and submit that a commission must be appointed so that it may suggest measures to this House for bringing about a reduction in the salaries.

PANDIT RAM CHANDRA DOBEY : I want to invite the attention of the House to the salaries paid to the high officers in the years 1972 and 1973. The Ministers at that time were paid Rs. 1,500 each per mensem. There was only one judge of the High Court who was drawing Rs. 1,500 per mensem. There were only two Ministers. Mr. Becket was the head of the Game Preservation Department and he was drawing Rs. 400 per mensem. The Inspector General of Police, who was always a lent officer, was getting Rs. 1,600 per mensem. The Superintendent of Police was paid Rs. 300 per mensem. A few days back, I happened to see the Civil List of Mysore dated January 1936. There are only two Ministers and they are paid Rs. 2,000 per mensem each. There is one Revenue Commissioner who is drawing Rs. 1,400 per mensem. There are three grades of the Deputy Commissioners which are Rs. 1,200, Rs. 1,000 and Rs. 800 per mensem. The Chief Conservator is drawing Rs. 1,000 to Rs. 1,200 with an yearly increment of Rs. 50. There are three grades of the Conservator of Forests Rs. 1,000, Rs. 900 and Rs. 700 with an increment of Rs. 50 after every two years. The Accountant General is paid Rs. 1,200 per mensem and the Chief Justice is paid Rs. 2,000 per mensem. The Inspector General of Police is drawing Rs. 1,400 per mensem and the Superintendent of Police is paid Rs. 450 per mensem. This is the standard at present. There is no doubt that the Government has also been considering this matter. His Highness the Maharaja Bahadur appointed a Retrenchment Committee in 1932 and at that time there was a deficit of Rs. 25,00,000 in the Budget. It was suggested at that time that the salaries of all the officers with the exception of the menials and the clerical staff should be revised. From that time up to the present date, the salaries of many posts have been revised, but the salaries of some have been raised while some are drawing their salaries

according to the former grades. The Government also feels the necessity of revising the salaries so that in reply to one of my questions it was stated that the appointment of a Commission is under the consideration of the Government and that the reply to my question will be given in the next session. I strongly support this resolution and submit that fixing a standard for the salaries and the appointment of a commission is very essential.

PANDIT AMAR NATH KAK : Sir, I have two or three amendments.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Will you speak or we may go.

PANDIT AMAR NATH KAK : Sir, now it is about four o'clock, your Lordship may put it off for tomorrow. The same resolution stands as the first of those resolutions which are to be taken up tomorrow ; therefore, it should be put off for tomorrow.

The House then adjourned till next day, the 27th March 1936.

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JAMMU AND KASHMIR PRAJA SABHA.

Friday the $\frac{\textit{27th March 1936.}}{\textit{15th Chet 1992.}}$

The Praja Sabha met in the Praja Sabha Chambers in the Pink Hall Jammu at Eleven of the Clock. Mr. President (The Hon'ble Sir Barjor Dalal Kt.) in the Chair.

QUESTIONS AND ANSWERS.

442. SARDAR BUDH SINGH (Mirpur-Poonch :Sikh) : (*a*) Will Government please state what amount has been realized from the cess of one pice per rupee of the land-revenue since its imposition for the sanitation of rural areas and where it has been spent?

(*b*) Will Government please lay on the table a statement showing the number of villages where it has been spent on sanitation etc. and the amount spent out of this fund and the work so far done?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) and (*b*) During the last two years, a sum of Rs. 54,000 was collected in Jammu Province. As for the details of expenditure, the Member Praja Sabha is referred to answer to Q. D. No. 468 of Srinagar Session 1935.

Since the statement referred to was made in the Praja Sabha the following sums have been allotted for expenditure in Jammu Province.

			Rs.
1.	Batote water supply, nearly	...	20,000
2.	Kandi water supply	...	4,000
3	Anti-malaria compaign	...	4,000
4.	Maintenance of Udhampur water supply	...	1,000
5.	Miscellaneous for survey of various water and sanitary schemes	...	2,000
	Total	...	31,000

This is an addition to the annual recurring expenditure of about Rs. 1,500.

Immediately bad spots are being attended to. Dearth of water supply in Kandi and important towns and stages along the B. C. Road is being looked to first. Supply of drinking water is the first necessity. The Director of Medical Services has undertaken to launch an anti-malaria compaign.

Some of the hilly tracts are the hot-beds of venereal diseases and the Board is seriously considering how to provide relief in this direction also as soon as possible.

These schemes will require lot of funds and distribution of funds district-wise is out of the question for some time to come. Provincial distribution stands and funds are maintained separately for Jammu and Kashmir Provinces.

Proposals for the current year are under consideration.

SARDAR BUDH SINGH : I had asked, in how many villages money was spent out of this fund. Specific instances of Udhampur and Batote are not relevant here. This fund is meant for the sanitation of villages only and it is not known on the sanitation of what villages money has been spent.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM :Batote too is a village. Money has been spent wherever it was necessary to do so.

SARDAR BUDH SINGH : We got the same reply again and again that money has been spent in Batote.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : You have got the information you had asked for.

SARDAR BUDH SINGH : But this information does not satisfy my querry.

443. SARDAR BUDH SINGH : (*a*) In spite of the fact that so responsible a Revenue Officer like the Revenue Minister has realized the need for and evinced a keen interest in rural reconstruction and sanitation etc. and has issued instructions to the Revenue officers in this respect, have Government so far sanctioned any money for this purpose?

(*b*) If the answer be in the affirmative, how much money has been sanctioned? What amount out of it has been spent and where?

THE HON'BLE RAI BAHADUR PANDIT ANANT RRM : (*a*) Rural reconstruction is not a work of a day. Sanitary improvements are being introduced so far as funds permit. The general programme of rural reconstruction will be taken up with the establishment of Panchayats here and there.

(*b*) Does not arise.

SARDAR BUDH SINGH : Is the money that is being spent on the training of the establishment not debited to this department?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The thing is that officers have been appointed for Panchayats etc. They will prepare schemes for the consideration of the Government and funds will be arranged accordingly.

444. SARDAR BUDH SINGH : (*a*) Has Shree Raja Sahib Poonch sanctioned the appointment of a Gurmukhi teacher for the school at Bagh proper where there are many Sikh students?

(*b*) If the answer be in the affirmative, what are the reasons for non-compliance with the order?

(*c*) Will Government provide a Gurmukhi teacher for Bagh school, following the practice in the Jammu and Kashmir State, when the Sikh boys do actually need a knowledge of Gurmukhi?

WAZIR FEROZ CHAND, WAZIR POONCH (On behalf of the Hon'ble Revenue Minister) : (*a*) Yes.

(*b*) Owing to financial stringency necessitating economising expenditure and keeping in abeyance all new items, the provision for the post could not be made in the Budget so far.

(*c*) This will be considered at the time of the next year's Budget.

SARDAR BUDH SINGH : His Highness the Maharaja Bahadur has been pleased to command that funds may be made available from the Dharmarth Department for the supply of drinking water in the Kandi Illaqa. I ask whether his commands have been complied with or not. There is no question of financial stringency here.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You ask what are the reasons for non-compliance. He is giving reasons for non-compliance.

445. SARDAR BUDH SINGH : (*a*) Is it a fact that a Girls school has been set up by the Sikhs at Mirpur and a considerable sum of money has been spent on its building?

(*b*) Has the Singh Sabha submitted any petition or resolution urging for grant-in-aid to this school?

(*c*) If the answer to (*a*) and (*b*) be in the affirmative, will Government provide grant-in-aid to this girls school to keep it on?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) A Sikh Girls Pathshala has been started at Mirpur where there is already a Government Girls Middle School.

(*b*) Yes, but no grant is at present given to a new institution.

(*c*) The question does not arise.

SARDAR BUDH SINGH : When other communities have been given grant-in-aid, why a distinction has been made in this case causelessly?

THE HON'BLE MR. WAJAHAT HUSSAIN : Sir, it is not correct to say that grant-in-aid has been given to other schools of other communities.

SARDAR BUDH SINGH : If in fact no aid has been granted to them with a view to check communal feelings, I am glad at this impartial treatment.

446. MOULVI MOHAMMAD ABDULLA (Shah Hamdan, Srinagar City :Muslim) : (*a*) Is it a fact that since the enforcement of the present Land Alienation Regulation, the zamindars of Baramulla have sold upto Katik 1992, 2,098 acres of land within the prescribed limit of one-fourth?

(*b*) If the answer to (*a*) be in the affirmative, will Government place state how much land the zamindars have sold in other tehsils of Kashmir Valley?

(*c*) Why have these lands been sold?

(*d*) Who are the buyers, villagers or townsmen?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Figures for all the other tehsils in Kashmir were requisitioned but could not be collected within the time available except

for the Badgam Tehsil, which are as follows :—

One-fourth of the holding of zamindars.	Lands sold upto the end of Assuj 1992.
46,818 acres.	1,080 acres.

(*c*) The Government have no knowledge, but the vendors evidently do it to meet their requirements.

(*d*) Buyers of lands of agricultural classes are all agriculturists. The exact figures showing whether they are townsmen or villagers is not available as records of such sales are not kept according to the residential qualification of vendors.

447. Moulvi Mohammed Abdulla : (*a*) Is it a fact that in view of the present deficiency in the number of Muslim compounders in dispensaries, the Government was considering to increase their number in this Department?

(*b*) If the answer to (*a*) be in the affirmative, will the Hon'ble Minister concerned be pleased to state whether the deficiency in the number of Muslim compounders has been made good?

The Hon'ble Mr. Wajahat Hussain : (*a*) Orders have been given to remove the disparity.

(*b*) Due to dearth of qualified hands it will take time to make up the deficiency. The Department is doing what it can in this direction.

448. Moulvi Mohammed Abdulla : (*a*) Is it a fact that Nullah Senigulu, Nullah Tongari, Nullah Seniman, Nullah Bamni, Nullah Mua and Nullah Naran in Tehsil Kulgam are means of irrigation of agricultural land?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that some zamindars owing to the absence of Government aid, cannot repair these Nullahs and that the result is a drought?

(*c*) If the answer to (*b*) be in the affirmative, do Government intend to make arrangement for permanent repair of these Nullahs or not?

The Hon'ble Rai Bahadur Pandit Anant Ram : (*a*) Yes.

(*b*) No.

(*c*) Does not arise.

449. MOULVI MOHAMMED ABDULLA : (*a*) Are Government aware that on the bank of river Vaishu towards the forest there are big villages like Manzgam, Damhal-Hanjipura etc?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that that there being no bridges, it is impossible for the poor, the women and the children of these villages to be benefited by the dispensaries of Kulgam and Shopian during the floods?

(*c*) If the answer to (*b*) be in the affirmative, will Government consider the question of providing medical aid in these villages?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) and (*c*) There is no big bridge but wooden bridges exist above and below these villages (9) and (6) miles respectively.

Floods last only a short time. Government does not intend opening new dispensaries at present.

450. MIAN AHMED YAR (Muzaffarabad :Muslim) : Are Government prepared to exempt from the payment of road-toll at Domel Customs Post, the local Karachis (carts) while going hither and thither across the toll-post carrying the grain, wood and fodder for the people of adjacent villages for local use, just as the tongas carrying local inhabitants are exempted?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : No.

451. MIAN AHMED YAR : (*a*) Will the Hon'ble Home Minister be pleased to state the amount claimed by Abdulla Khan, *ex*-contractor of the Garhi-Habibullah Road from the Public Works Department and since how long this sum is outstanding against the said Department?

(*b*) What settlement of the claim has been made and if it has not been settled so far, what are the reasons therefor?

(*c*) Has the Jhelum Valley Road Division drawn a cheque for Rs. 900 in favour of the said contractor? If so, how much time back was it drawn and why has it not been paid up and why has it not been handed over to the said contractor?

NOTE --The question was subsequently withdrawn by the Member.

452. MIAN AHMED YAR : (*a*) Will the Hon'ble Home Minister be pleased to state how many permanent Overseers, Sub-overseers and Mistris in the Public Works Department are Muslims and how many non-Muslims?

(*b*) How many Muslims and how many non-Muslims have been appointed in the said cadres during the last 5 years?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) :

(*a*) Overseers	..	10	(Muslims 2 and non-Muslims 8)
Sub-overseers	...	77	(Muslims 7 and non-Muslims 70) (3 men lent to British Government)
Mistries	...	2	(Muslims 2 and non-Muslims nil.)
(*b*) Overseers	...		Muslim 1 and non-Muslims 2. (1 reverted from Supervisor's grade and one promoted from Sub-overseers cadre).
Sub-overseers	...		Muslims 5 (1 reverted from surveyor's cadre).
			Non-Muslims 19 (10 adjusted from surveyor's cadre on retrenchment of Jeth 1989).
Mistries	...		Muslims nil and non-Muslims nil.

453. MIAN AHMED YAR : Will Government please state who have been appointed as Government auctioneers in Jammu and Srinagar and since how long they are woking as such?

(*b*) Who were the Government auctioneers in Srinagar in the previous two years *i. e.* in 1933 and 1934 and who from among them have been dismissed and why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Sardar Ganda Singh was appointed as Government auctioneer for both Jammu and Kashmir Provinces during 1931 and 1932.

(*b*) 2. The Government auctioneers during last two years were

as follows :—

	1933.	1934.
For Jammu Province	Sardar Ganda Singh	Sardar Ganda Singh.
For Kashmir Province	Mr. Pestonjee	Mr. Pestonjee.

No auctioneer was dismissed. The auctioneers are annually appointed after obtaining tenders for the rate of commission.

MIAN AHMED YAR : My submission is why Arsala Khan of Amira Kadal-Srinagar has been dismissed for the last two years.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : We have no information regarding this.

454. KHAWAJA ALI MOHAMMED (Fatehkadal, Tenkipura, Srinagar City :Muslim) : Will Government please state :—

(*a*) The annual income of the Srinagar Municipality and

(*b*) The annual expenditure on its establishment?

(*c*) If the expenditure on the establishment exceeds by one-fourth the income, will Government reduce this expenditure to below one-fourth the income? If not, why not?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) The annual income of the Srinagar Municipality is variable. For 1992-93 the income is Rs. 4,01,930.

(*b*) The expenditure on establishment including audit charges and pensions is Rs. 88,369 for 1992-93.

(*c*) Does not arise.

455. KHAWAJA ALI MOHAMMED : (*a*) Will the Hon'ble Finance Minister please state the strength of Divisional Accountants and the number of Muslims and that of non-Muslims among them?

(*b*) If the proportion of Muslims among them be extremely low, what are the reasons for it?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) The cadre of Divisional Accountants consist of 7 posts

with one post of Assistant Accountant on a lower rate of pay. Of these one is a Muslim.

(*b*) Under the rules appointments to the cadre of Divisional Accountants are made from the following sources :—

(*i*) Qualified Auditors and Examiners in the Audit Office.

(*ii*) Qualified Clerks and Head Clerks of Public Works Department (especially Divisional and Sub-Divisional Offices).

(*iii*) Forest Accountants.

(*iv*) Qualified persons elsewhere.

There being no qualified Muslim in the cadre, one Muslim (M. Gulam Mohi-ud-Din of Shikarkhana Department) was recently appointed as Divisional Accountant outside the rules and over the head of qualified Hindus already serving in the Department.

456. KHAWAJA ALI MOHAMMED : (*a*) Will the Hon'ble Finance Minister please state in what year the last election of members for Srinagar Municipality was held and when the next Municipal election will take place?

(*b*) Are the present members of the Municipality nominated or elected? If nominated, what are the reasons for it?

(*c*) Have all those demands which were submitted to the Government by the Muslim members of the Municipality and which formed the basis of non-co-operation by the Muslim members in the last Municipal election been accepted by the Government?

(*d*) If the answer to (*c*) be in the affirmative, when is the declaration of their acceptance by the Government expected?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) The last election of members for Srinagar Municipal Committee was held in October 1933 and the next election is expected to take place during the current year.

(*b*) They are partly elected and partly nominated.

(*c*) Unless the demands are specified, no definite reply can be given.

(*d*) Does not arise.

KHAWAJA ALI MOHAMMAD : Are the Muslim members elected or nominated?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : There are elected as well as nominated members amongst them. When the people refused to elect members, the Government had to nominate some one.

457. MIRZA M. A. BEG : At what rate did Government pay compensation to zamindars for land acquired from them for the Pahalgam camping ground and what did they charge from the visitors etc. for use of the said land?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Although land was abandoned 6 years ago when zamindars enjoyed *Assami* rights only in the land ; compensation was paid last year at the prevailing market rate of Rs. 20 per kanal. The zamindars were thus compensated for the proprietary rights. If compensation had been paid in 1986 when land was taken possession of, it would have amounted to twenty times the land-revenue *i. e.* 2,460 only against which an amount of Rs. 5,954 was paid last year. As regards the last part of the question, it may be stated that seasonal rent is charged from the visitors in accordance with the sanctioned rates by the Visitors Bureau.

MIRZA M. A. BEG : Was the money which was realized through the Visitors Bureau during these six years taken by the Government or the zamindars?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It was taken by the Government.

MIRZA M. A. BEG : Had the Government already taken possession of the land?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The Government had not already taken possession of the land ; rather the shopkeepers and visitors encroached upon the land of the zamindars which was lying uncared for. Last year when this matter was brought to the notice of the Government, it regularized this requisition.

458. MIRZA M. A. BEG : (*a*) Is it a fact that sometimes the bills for the refund of octroi duty for the fruits exported from Srinagar are not paid for a year?

(*b*) Are Government aware that by deferring such payment our trade suffers?

(*c*) In order to avoid this delay in the payment of the said bills will Government invest the Inspector, besides the Inspector General, Customs and Excise, with powers to pass orders for the payment of such bills?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Refunds are made as promptly as possible.

(*b*) Delays in making refunds must undoubtedly cause inconvenience, but such delays are not the rule and they occur only in very rare cases due to unavoidable circumstances.

(*c*) The power to grant draw back which was until recently exercised by the Minister-in-charge of the Customs Department, was delegated to the Inspector General, Customs and Excise and further delegation which involves a question of administrative policy does not seem advisable at this stage.

MIRZA M. A. BEG : Will orders be issued for making refunds immediately?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Certainly.

459. MIRZA M. A. BEG : (*a*) Is it a fact that the traders of Kashmir submitted their respresentation regarding the Customs and Excise in an application dated the 22nd Magh 1991 to the Inspector General Customs and Excise?

(*b*) What action has been taken thereon?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) The question is not explicit as the purport of the representation is not stated in the question.

(*b*) This question can only be answered if the member Praja Sabha will kindly supply more definite information about the representation to which he refers. The Finance Minister will be glad to look into the matter if he is addressed by the member Praja Sabha.

MIRZA M. A. BEG : Thanks.

460. MIRZA M. A. BEG : (*a*) Is it a fact that the tradesmen of Jammu also submitted their complaints against the Customs and Excise Department which were published in the "Milap" dated the 11th January 1936?

(*b*) What action has been taken to redress these grievances?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : No representation of this date is traceable in the office of the Inspector General. Certain traders of Jammu saw the Inspector General in deputation and mentioned to him certain difficulties which they experienced. The Inspector General granted them relief so far as was possible.

461. MAJOR MIRZA ATTA MOHAMMAD (Reasi :Muslim) : (*a*) Are Government aware that three stages of the road beginning from Thanda-Pani and Dharmsal to Rajouri which are under the Revenue Department are in a very wretched condition?

(*b*) Will Government transfer this road like the Nowshera road to the charge of the Divisional Engineer, Mirpur?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No.

(*b*) The question of transfer of Thanda-Pani-Dharmsal to Rajouri road has been referred to P. W. Department whose reply is awaited.

462. MAJOR MIRZA ATTA MOHAMMAD : (*a*) Will the Hon'ble Revenue Minister be pleased to state why the following classes have not been declared agriculturists in District Reasi when they have been declared as such in other districts :—

Pathan, Syed, Kakkezi, Qureshi, Mughal, Sohlan, Sheikh, Doomal, Sudhan, Jaqi Muslman, Chib Musalman, Malik Musalman, Lohar Musalman, Charak Musalman, Manhas Musalman, Awan Musalman, Jolahe Musalman, Malyar Musalman, Mangral Musalman, Ghariwal Musalman, Mahle Musalman, Bakarwals including Gaddi Musalman, Mahle Musalman, Narma, Kalwatra, Brahmin Musalman, Bains, Bhao Musalman, Ghakar, Samyal Musalman, Bohdle, Bamba and Teli Musalman.

(*b*) Will these classes be declared agriculturists now in Reasi District? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The agricultural classes given in Schedule No. I annexed to the Alienation of Land Regulation, opposite the name of each District, were selected as the result of a detailed enquiry made by the Revenue officers. Tribes, the major portions of whom were found to follow agricultural calling as the main source of their livelihood in the Districts mentioned against their names have been declared to be agricultural classes. And since the classes mentioned by the member Praja Sabha residing in the Reasi District did not satisfy the principle enunciated above, they were not classified as agriculturists.

(*b*) *1st part*.—No.

2nd part.—For reasons given under (*a*) above. It is however open to other tribes or groups in any particular area to apply for inclusion within the category of agricultural classes if they can demonstrate that the major portion of that tribe or group follows agriculture as the principle source of its occupation and livelihood.

MAJOR MIRZA ATTA MOHAMMAD : Sir, I ask why these classes have not been declared agriculturists in District Reasi when they have been declared so in other districts?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This question has been replied.

MAJOR MIRZA ATTA MOHAMMAD : Will the Government make inquiries in this matter?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : If there are some classes which have been omitted from the list and who believe they can satisfy the condition necessary for being included therein, they may submit an application for the purpose and necessary action will be taken on it.

MAJOR MIRZA ATTA MOHAMMAD : Will not the Government consider this question of its own accord.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No, it will not do so, so long as there is no application.

MIAN AHMED YAR : Sir this question may be taken as an application.

THE HON'BLE MR. WAJAHAT HUSSAIN (Leader of the House) : These questions cannot be taken for applications.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : An application must be duly stamped.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : No, this is not possible, questions cannot be regarded as applications.

THE HON'BLE MR. WAJAHAT HUSSAIN (Leader of the House) : We are sorry to see that the Praja Sabha Sad Sahib is entering into discussion. How can a question be regarded as an application.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Along with your question, you did not submit a certificate that such and such classes are agriculturists. You may put in an application and inquiry will be made.

463. MAJOR MIRZA ATTA MOHAMMED : Will the Hon'ble Revenue Minister please state why the zamindars are not pemitted to carry away the fallen wood of "Sum" tree, like other fallen wood?

(*b*) Is it not harmful to the interest of the Government if the fallen wood be allowed to remain and rot in its place?

(*c*) Will the Hon'ble Revenue Minister be pleased to remove this restriction?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Zamindars are already permitted to carry away the fallen wood of "Sum or Sinnu" tree like other fallen wood of Banesri trees for their bonafide domestic and agricultural use and not for sale, within their village concession limit *vide* addenda to clause (*vi*) of Jammu and Kashmir notices sanctioned by His Highness the Maharaja Bahadur (*vide* Hon'ble Prime Minister's No. G. B. 78, dated 5th January 1933).

(*b*) and (*c*) Do not arise.

464. MAJOR MIRZA ATTA MOHAMMED : Are Government aware that customs duty is charged for articles of food and other necessities and deposit is also obtained from visitors and Government employees who happen to go to Jammu and Kashmir *via* Poonch in spite of the fact that these articles are not meant for trading purposes?

(*b*) Will Jammu and Kashmir Government, keeping in view

the inconvenience thus caused to the visitors and Government employees, please stop this practice of the Poonch Jagir?

WAZIR FEROZ CHAND, WAZIR POONCH (On behalf of the Hon'ble Revenue Minister) : (*a*) Deposits on articles to duty according to Tariff, which is based on the one in force in His Highness' Government are obtained, which are refunded at the post of exit. This practice is similar to that prevalent in the parent State.

(*b*) No, as the existing arrangement is designed to safeguard the Illaqa revenues and to prevent smuggling and leakage.

465. LALA SHIV NATH NANDA (Srinagar City :Hindu other than Kashmiri Pandits) : Is it a fact that the Forest Department have taken on lease for ninty-nine years a plot of land for Timber Depot at Lohare for which the State have to pay an annual rent of about Rs. 600 amounting to total of Rs. 50,000 though if the same plot of land were to be purchased, it would cost Rs. 5,000 at the most?

If the answer to the above be in the affirmative, will the Hon'ble Revenue Minister please state who is responsible for this wrong step and what action has been taken against him and whether this lease can be cancelled for future?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *Part* I.---Yes, at an annual rate of Rs. 560. The land is more valuable than what is estimated by the member Praja Sabha.

Part II.—The matter is under enquiry.

466. LALA SHIV NATH NANDA : In reply to my question No. 23 it was stated that Messrs Shiv Pershad Ram Pershad have in fact been granted concession. Is it a fact that on account of this concession the Government had to incur a loss of three lacs of rupees? (*vide* Q. D. No. 139 Srinagar Session). If the answer be in the affirmative, will the Hon'ble Revenue Minister please state whether sanction was obtained for this concession from the Government of His Highness the Maharaja Bahadur or else this has been brought to their notice? If not, what are the reasons therefor?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *Part I*.—No.

Part II.—This does not arise.

LALA SHIV NATH NANDA : My submission is that in my question which has been replied in the negative, I had submitted that the Government has suffered a loss of rupees three lacs.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Have you got the reply or not?

LALA SHIV NATH NANDA : In reply to the first part of my question, it has been stated that the Government has suffered no loss while in fact it has suffered a loss of lacs of rupees.

As regards the second part of the question, it has been stated that it does not arise. I want to know whether the loss of 3 or 4 lacs of rupees has been brought to the notice of the Government or not?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : You are cross-questioning.

LALA SHIV NATH NANDA : Does His Highness know that a loss of three lacs of rupees has been caused to the State? Is it necessary that His Highness should be informed of the fact or not?

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : From this it appears that there has been no loss.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt :) This shows that there has been no loss.

LALA SHIV NATH NANDA : An individual has been benefited by causing a loss of lacs of rupees to the Government. It may please be explained to me whether His Highness' sanction was not necessary for incurring this loss of three lacs of rupees and whether the fact of this loss has been brought to the notice of His Highness. The members of this House must know that the sum of three lacs of rupees is a huge sum whereby several schools can be opened and the condition of many villagers can be ameliorated. The State and its poor subjects have been deprived of such a big sum simply to benefit one individual.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt :) The fact has been denied.

LALA SHIV NATH NANDA : Silk has been sold at Rs. 4/10/- per lb *i. e.* the State has undergone a loss of Rs. 1/11/ per lb.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Do you say that the reply is wrong and that there has been a loss of 3 lacs of rupees?

LALA SHIV NATH NANDA : Sir, I understand the reply well. I have here before me the reply given to my Question No : 259 of the last session. I have read it. It is stated here that in consideration of our business connection the goods were sold to a person at the market rates and that this sale took place under the orders of the Hon'ble Minister-in-charge. Sir, I shall convince you how this loss of 3 lacs of rupees has been caused to the Government. I ask you whether His Highness' sanction was obtained for the remission of three lacs of rupees and whether it is at all necessary under such circumstances or not.

MR. PRESIDENT (The Hon,ble Sir Barjor Dalal Kt.) : He says whether Government sanction was obtained or Government sanction was not necessary.

LALA SHIV NATH NANDA : My question was whether His Highness' sanction was obtained or not. I did not mean Government sanction.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt :) The question was amended by me because in this Praja Sabha there can be no reference to His Highness the Maharaja Bahadur. Only the Government can be referred to.

LALA SHIV NATH NANDA : Perhaps I have not been able to make you understand my point.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You argue. You have got the reply to your question. If you want to argue it, you can submit a resolution regarding this matter.

LALA SHIV NATH NANDA : I ask whether it is not necessary to obtain the sanction of the Government.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This is a new question.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : If Mr. Nanda wants to have any further information, he may please come to me, I shall satisfy him.

LALA SHIV NATH NANDA : All right, I shall go to him.

467. LALA SHIVE NATH NANDA : Is it a fact that the scheme of the establishment of a trading market at Amira Kadal-Srinagar is since long under the consideration of the Government and that during the previous sessions Government have stated that it would be established soon?

If the answer to the above be in the affirmative, will the Hon'ble Revenue Minister please state when the establishment of this market be expected?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) The matter will be taken up when the Government moves to Srinagar.

468. LALA SHIV NATH NANDA : Are Government aware that in Illaqa Bhimber, Kohli Khatris own 10,000 kanals of agricultural land and their main source of livelihood is agriculture?

If the answer be in the affirmative, will Government please state why these Khatris who own lacs of kanals of agricultural land and some of whom are Lambardars and Wanddars are deprived of the right of being agriculturists?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The member Praja Sabha was told in the last session of the Praja Sabha in reply to his Q. D. No. 129 part (*c*) last portion that a particular class, majority of whose members do not depend upon agriculture as the main source of livelihood, cannot be classified as agriculturists on the strength of a few of them owning lands. For the same reason, Khatris of Illaqa Bhimber and Kotli although some of them own land, were excluded from the lists of Agricultural Classes.

469. WAZIR GANGA RAM (Reasi :Hindu) : In reply to my question No. 344 regarding the construction of bridges over Nullah Ans, Tehsil Reasi and Nullah Tawi near Rampur Rajouri asked on 22nd October 1935, the Hon'ble Home Minister stated that the estimate was being prepared. Will the Hon'ble Home Minister please state whether the estimates have been prepared and any steps have been taken towards the construction of bridges? If not, when will the work of construction begin?

THE HON'BLE MR. WAJAHAT HUSSAIN : An estimate amounting to Rs. 28,338 has been received in this office for construction of a bridge over Nullah Ans.

An estimate for a bridge over Nullah Tawi near Rampur Rajouri is still awaited from the Divisional Engineer.

470. Wazir Ganga Ram : (*a*) Will Government please state how many posts of Patwaris, Forest Guards and Game Laws Watchers fell vacant from 11th April 1932 to the end of December 1935?

(*b*) Were the local inhabitants appointed to all these vacancies?

(*c*) If the answer to (*b*) be in the affirmative, will Government please state how many persons from Reasi District were appointed to such vacancies?

(*d*) If the answer to (*c*) be in the negative, does it not involve an infringement of the orders of His Highness on the Glancy Commission Recommendations?

The Hon'ble Rai Bahadur Pandit Anant Ram : (*a*) 130 Patwaris, 78 Forest Guards and 21 Game Watchers' posts fell vacant in the State from 11th April 1932 to the end of December 1935.

(*b*) Appointments were made as under :

Local and retrenched hands	....	221
Other Districts	...	8

(*c*) 9 vacancies went to persons of Reasi District.

(*d*) No infringement of the orders of His Highness on the Glancy Commission Recommendations is made.

471. Wazir Ganga Ram : (*a*) Are Government aware that Illaqa Budhal lies some thirty or forty miles away from the Head-quarters of Tehsil Rampur Rajouri and the inhabitants of that Illaqa have to accomplish a very difficult and arduous journey in order to get at the Head-quarters?

(*b*) Will Government in view of the inconvenience to the inhabitants of the Illaqa issue orders for shifting the Head-quarters of Munsiff's Court to that Illaqa for a period of at least three months in a year during rains?

Khan Bahadur Sheikh Abdul Qayoom (On behalf of the Hon'ble Judicial Minister) : The Court of Munsiff Rampur is located at a central place. If it is shifted to Budhal Illaqa even for a period of three months, the inhabitants of other parts will experience

greater difficulty than the people of Budhal do at present. Having regard to the small amount of work, two courts are not possible. If the member makes any suggestion as to holding over Budhal civil cases during certain months of the year, when the road is specially difficult, the suggestion will be considered.

472. WAZIR GANGA RAM : (*a*) Is it a fact that the Tata Company has been granted by the Government lease to work the zinc mine?

(*b*) If the answer to (*a*) be in the affirmative will Government please state for what period and on what terms the lease has been granted? Have the rights of the subjects regarding employment kept in view while settling the terms of the lease?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No. Mining lease has not been granted.

(*b*) Does not arise. It is however mentioned for the information of the member Praja Sabha that a prospecting license for two years under the State Mining and Prospecting Rules has been granted to the Tatas. The question of local labour etc. does not arise at this stage, as the prospecting license is granted only for proving the deposits. Practically all the labour employed is local.

473. SARDAR KANHAYA SINGH (West Kashmir :Sikh) : Will Government please state the number of the zamindar candidates who applied for the posts of the Assistant Sub-Inspectors of Police which have been recently filled, the number from among the successful candidates of those who belonged to the zamindar class and those who belonged to the non-zamindar class. If the zamindar candidates were ignored what are the reasons therefor, when there are clear orders for the preference of zamindar candidats? Will Government please state why these clear orders of the Government are being departed from, when the zamindar candidates possessed all sorts of requisite qualifications?

THE HON'BLE MR. WAJAHAT HUSSAIN : It is not possible to state the number of zamindar candidates who applied for the posts of Assistant Sub-Inspector as the applicants have not mentioned this fact in their applications.

2. Out of the four candidates selected two belong to the zamindar class.

3. Zamindars were not ignored.

SARDAR KANHAYA SINGH : Had these two zamindar boys who have been appointed mentioned in their applications the fact of their being zamindars?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes, some candidates had mentioned this fact.

474. SHEIKH MOHAMMED AMIN (Jammu City :Muslim) : Is it a fact that I asked a question in the last session of the Praja Sabha at Srinagar urging for an increase in the number of Muslim Head Masters?

If the answer be in the affirmative, will the Hon'ble Home Minister be pleased to state how many additional Muslim Head Masters have been appointed? If none, how and when will this deficiency be made up?

THE HON'BLE MR. WAJAHAT HUSSAIN : There are 15 Head Masters of Government High Schools, and out of which three are Muslims.

It is accepted policy of Government to remove communal disparity in services. The number of Muslims will be increased in course of time.

475. SHEIKH MOHAMMED AMIN : Is it a fact that the Hon'ble Home Minister was pleased to state in the last session of the Praja Sabha at Srinagar that in order to remove the scarcity of water in the Mohallas Dalpatian below Purani Mandi, Residency etc. of Jammu, provision will be made in the next year's budget?

If the answer be in the affirmative, will the Hon'ble Home Minister please state whether he has called for from the Water Works Department a proposal to provide the requisite sum in the budget for the said purpose? If not, when will it be done?

THE HON'BLE MR. WAJAHAT HUSSAIN : The member is referred to answer given to para (*d*) question No. 281/S. No. 116 asked by Sheikh Mohammed Amin in the last session of the Praja Sabha.

SHEIKH MOHAMMED AMIN : Was there no such proposal under consideration this year?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes, it was under considration, but funds were not sanctioned.

476. SHEIKH MOHAMMAD AMIN : Will Government please state whether it is a fact that Rs. 9 are being charged through Rawel Singh, Bhuri Singh and Dhandon, Lambardars and as land-revenue from the Mutwali of the Khanqa Shutar-shah-Wali, for the Muslim graveyard attached to the said Khanqa situated in the village towards the low lands of Parol town in the District Kathua alleging that this land-revenue is charged for the mango trees which the Muslims of that Illaqa usually plant at the head of the tombs in the graveyards in spite of the fact the fruit of the trees is not sold, nor the contract of the said trees has ever been given?

If the answer be in the affirmative, will Government earn the gratitude of the Muslims of the said town by remitting the said tax?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part.*---No. The fact of the case are as follows :—

A piece of land measuring 41 kanals 11 marlas consisting of Khasra Nos. 130, 128, 129 and 138 in village Parol, Taraf Pain, Tehsil Kathua is held under the occupancy rights of Mussammat Asmat Bibi widow of Fazal Hussain and Sadiq son of Faqir Shah of Sialkot.

Out of this Khasra Nos. 128, 129 and 130 measuring 11 kanals, 14 kanals 3 marlas and one kanal 11 marlas from Khanqa, graveyard and Kuhl respectively are not assessed to any land-revenue. The other two Khasra Nos. 131 and 138 are cultivated areas classed as Bagh Abi and Warihal Awal and assessed to land-revenue ; for these two Khasra plots Rs. 8/11/9 including cesses are collected.

2nd part.—Does not arise.

SHEIKH MOHAMMED AMIN : Will the Government please state whether this land-revenue was realized during the life of Budan Shah?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This is a new question.

SHEIKH MOHAMMAD AMIN : Will the Government please state whether this matter was taken into consideration in the year 1986 and whether recommendation also was made for the remission of land-revenue?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This also is a new question.

477. SHEIKH MOHAMMAD AMIN : Is it a fact that in the village Budhi, Tehsil Kathua, the Zaildar and the Pattidars of the village Budhi gave a statement before the Tehsildar Mr. Amar Nath Sahib on the 15th Jeth 1990 that the Muslims would be given within one month some place for the construction of a mosque?

Is this also a fact that there is no mosque in the village for 150 houses of Muslims?

If the answer be in the affirmative, will Government please state what action has so far been taken in this respect? If nothing has been done in this respect, when will the promised place be given?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part.*-- The Zaildar Budhi made a statement that he would try to persuade his co-sharers to give some area to the Muslims for construction of a mosque. This was a sort of private offer.

2nd part.—Yes.

3rd part.—No action could be taken by the Government in view of what has been said in part 1st above.

SHEIKH MOHAMMAD AMIN : Will the statement of the Zaildar be laid before the House?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It will be supplied in the next session.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It is the business of the Government and not of the Hon'ble Revenue Minister. You may address your question to the Hon'ble Prime Minister.

478. CHOUDHARI CHATTAR SINGH (Jammu Wazarat : Hindu) : Is it a fact that the Co-operative Department is solely concerned with zamindars?

(*b*) Are Government well aware of the principle that all or most of the employees in this Department should be zamindars?

(c) Are Government aware that this Department is not so

popular among the zamindars? Is it not due to the fact that most of the employees in this Department are non-zamindars?

(*d*) Do Government intend to increase the number of zamindar employees in this Department who have full sympathy with the zamindars and are not zamindars in name only?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) No, the movement is concerned with non-zamindars as well, though on a small scale.

(*b*) The number of zamindars in the Department is larger than the number of non-zamindars.

(*c*) No.

(*d*) Efforts are made to see that persons having sympathy with zamindars are taken in service.

479. HAJI AHMEDULLAH SHAHDAD (Tashwan, Srinagar City :Muslim) : (*a*) Will Government please state whether the Illaqa extending from Daras upwards to Ladakh and that of Zanskar are fit for charging grazing fee?

(*b*) If not, why is grazing fee being charged from the people of Kharastan?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The reply is in the affirmative. Grazing facilities are generally available in the tract referred to by the member Praja Sabha.

(*b*) Does not arise. Besides, there in no Illaqa of the name of Kharastan in the Ladakh District.

MIAN AHMED YAR (Muzaffarabad :Muslim) : What facilities they have got?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This is a new question.

MIAN AHMED YAR : Did the Kahcharai Officer that was appointed made a tour in this Illaqa?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This too is a new question.

480. HAJI AHMEDULLAH SHAHDAD : (*a*) Will the Hon'ble Judicial Minister be pleased to state whether the Regulation for the Prevention of Traffic in women introduced by the Government is applicable to the whole of the State?

(*b*) If the answer be in the affirmative, why has it not been enforced in Ladakh Province?

KHAN BAHADUR SHEIKH ABDUL QAYOOM : The provisions of the Regulation are not made applicable to Srinagar and Jammu Provinces as a whole. They extend at present to Municipalities and Town Areas but may be extended to any other places. They have not been extended generally to any province so they cannot be extended to Ladakh Province. If as regards any particular place in Ladakh Province the member puts up the case before the Judicial Minister, the case of that particular place will be considered.

MIAN AHMED YAR : Is there no Town Area Committee in the District of Ladakh?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I do not think there is any Town Area in Ladakh.

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes Sir, there is none.

481. HAJI AHMEDULLAH SHAHDAD : (*a*) Are Government aware that in the last session of the Praja Sabha in reply to my question No. 250 the Government was pleased to promise to set up Zenana and Mardana Parks at different parts of the city?

(*b*) If the answer be in the affirmative, what parks have been set up in the city so far and how many do Government intend to set up?

(*c*) If the answer be in the negative, what are the reasons therefor?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The member Praja Sabha is referred to reply to Question No. 610, dated 4th April 1936 asked by Pandit Amar Nath Kak.

482. HAJI AHMEDULLAH SHAHDAD : (*a*) Will Government please state the total number of students in all the schools of each Province?

(*b*) How many of them are Muslims and how many Hindus?

(*c*) How many teachers working in these schools are Muslims and how many Hindus?

(*d*) What was the number of Muslim teachers at the time of the publication of the Glancy Commission recommendations and what is their number at present?

THE HON'BLE MR. WAJAHAT HUSSAIN : Please refer to the reply to question No. 194 asked by Mian Ahmed Yar on the 3rd April 1935/21st Chet 1991 (printed at pages 165-66 of the Jammu and Kashmir Assembly Debates Volume III).

483, 484, 485 and 486. SARDAR ABDUR RAHMAN KHAN (Udhampur :Muslim) : Has the Hon'ble Prime Minister received any application from the subjects of Chenani to the effect that the Raja Sahib of Chenani has got the Deoder, Chil and Kairoo trees cut from the lands owned by the zamindars and has sold off the wood? If the answer be in the affirmative, what action has been taken in this behalf?

Has this complaint also of the subjects of Chenani been brought to the notice of higher authorities that owing to the courts of Chenani being ignorant of law, no justice is done there, and that therefore the courts of Chenani be placed under the High Court and all courts may proceed in accordance with the directions of the High Court?

Has the Hon'ble Prime Minister received another application that an enquiry may be made through an honest officer of the State regarding the grievances of the subjects of Chenani? If the answer be in the affirmative, what action has been taken thereon?

Has this grievance also been brought to the notice of the Hon'ble Prime Minister that in Jagir Chenani, the revenue for *Shamilat* is charged from the zamindars and entire *Shamilat* is in the possession of Raja Sahib, who gets all sorts of benefit and the zamindars are undergoing great difficulties in the matter of grazing their cattle? If the answer be in the affirmative, will speedy steps be taken to remove all this?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : Yes, an application containing the allegations and making the prayers mentioned in these questions was received on 2nd February 1936 and a report called for. The matter will receive consideration in due course.

COLONEL ABDUR RAHMAN KHAN : When will the reply be given?

CAPTAIN KANWAR HIRA SINGH : Inquiry is being made and reply will be given.

COLONEL ABDUR RAHMAN KHAN : Will it be given in the next session or in the session following that?

CAPTAIN KANWAR HIRA SINGH : When the inquiry is completed.

487. KOTWAL LAKHMI RAM (Udhampur :Hindu) : Are Government aware that there is neither any arrangement made by the Government for cattle breeding in the hilly Illaqas of District Udhampur nor any help or instruction is given by the Agricultural Department? Is there any proposal under the consideration of the Government in this behalf?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM :The Cattle Breeding Section in the Civil Veterinary Department was abolished some time back owing to financial stringency. A scheme for cattle improvement has not been considered by the Standing Committee on Agriculture. Besides the officers and the subordinate staff of the Civil Veterinary Department are availing themselves of educating people in improved methods of breeding, feeding, care and management of livestock.

As regards agricultural instructions, necessary advice on agricultural activities is being rendered through the Assistant Director of Horticulture Jammu in Udhampur District. Very recently a Government nursery of fruit and other plants has been started at Batote for the benefit of zamindars of Batote, Kud, Chenani and Banihal and it will now be possible to render more useful work for them as the activities of the Department increase. So, as far as the Department of Agriculture is concerned, the reply to the question is in the negative.

488. KOTWAL LAKHMI RAM : (1) Are Government aware that Bhadarwah has always been the head-quarters of a Wazarat?

(2) Has Government ever ordered the establishment of a hilly Wazarat at Bhadarwah?

(3) Do Government also know that the head-quarters of Revenue Officer and Wazir Wazarat of hilly Illaqas of Udhampur is at present at Udhampur?

(4) Do Government know that the people of hilly tehsils of Bhadarwah, Kishtwar and Paddar have to undergo heavy expenses of long journeys upto Udhampur?

If the answer be in the affirmative, will Government please propose at least the head-quarters of Revenue Officer at Bhadarwah which is a central place?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (1) Bhadarwah was the head-quarter of the Wazarat at the time when it formed part of the Private Domains of His Highness the Maharaja Bahadur.

(2) No.

(3) Yes.

(4) They have to bear some expenses in covering this journey. Whenever the head-quarters are distant, such inconveniences are natural and cannot be helped.

As regards the fixation of the head-quarters of the Revenue Assistant at Bhadarwah, the reply is in the negative.

SARDAR BUDH SINGH : How troublesome it is that in order to reach Udhampur, the litigants have to undertake a journey in the hilly Illaqas of 200 to 250 miles. Are the Government aware that once the attention of the Government was drawn to the advisability of shifting this court to Batote.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : I am not aware of this fact.

489. KOTWAL LAKHMI RAM : Are Government aware :—

(1) That the payment for the construction of the bridges in Bhadarwah which were constructed by the local contractors in the years 1986, 1987 after the flood of 1985 has not been made to the contractors as yet and

(2) That the contractors are being ruined on account of loss of interest?

(3) If the answer be in the affirmative, will Government please state the steps they will take for the payment of this sum?

(4) Who will be held responsible for the interest of such payable sums?

THE HON'BLE MR. WAJAHAT HUSSAIN : No.

KOTWAL LAKHMI RAM : I submit that their dues are still outstanding.

THE HON'BLE MR. WAJAHAT HUSSAIN : According to the report received, no dues are outstanding.

KOTWAL LAKHMI RAM : Their claims are unsettled in the Revenue Department. An enquiry may please be made from that Department?

THE HON'BLE MR. WAJAHAT HUSSAIN : Enquiry will be made in the matter.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The question will be sent to the Hon'ble Revenue Minister.

490. KOTWAL LAKHMI RAM : (1) Are Government aware that the contracts of the Revenue Department are auctioned at the head-quarters of Wazarats whereby the people of other tehsils cannot get contracts in consequence of their ignorance?

(2) If the answer to the above be in the affirmative, will Government please allow the permission of auctioning the contracts in the tehsils to which they pertain?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (1) Contracts of Revenue Department are generally auctioned at Tehsil head-quarters. Important contracts are auctioned at Wazarat head-quarters after being duly advertised by notices which are sent sufficiently in advance to tehsils for information of all concerned.

(2) Does not arise.

491. PANDIT AMAR NATH KAK (Srinagar City North : Hindu) : Will Hon'ble the Education Minister be pleased to state whether the Director of Education has issued a circular to the effect that in case of decrease in the number of scholars in any school, the pay of teachers of that schools be reduced by 40 per cent. for six months and if the teachers do not succeed in raising the number within that period, they may be dismissed?

If any order or circular of this type has been issued, will the Hon'ble Minister be pleased to state :—

(*a*) Whether with the increase of number of schools and their location at closer quarters will not necessarily result in decrease in the number of scholars in older schools?

(*b*) Whether for want of vocational bias in the system of education, the parents of boys are not feeling dissatisfied with it?

(*c*) In case the teachers alone are held responsible, will the Government consider the advisability of cancelling the circular, taking in view the fact that the teachers do not occupy any position of influence and can neither induce nor force parents to send their boys to a particular school?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes, but in the order the limit of fine is 20 per cent. and not 40 per cent. This order applies in the case of Primary Schools only and teachers are to be punished only when the failure of a Primary School is due to their own negligence.

(*a*) No, as the number of scholars is on an increase.

(*b*) No.

(*c*) It has been stated already that the teacher will be punished if his negligence is proved.

PANDIT AMAR NATH KAK : Sir, the answer is "no". It is not clear, therefore, whether the parents of boys are feeling dissatisfied or not?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : There is double negative in the Urdu question. In English double negative is never used. The mistake seems to be on account of the translation.

THE HON'BLE MR. WAJAHAT HUSSAIN : Sir, the parents of boys are not feeling dissatisfied.

492. PANDIT AMAR NATH KAK : Will Hon'ble the Education Minister be pleased to state whether the Inspector of Schools in

Kashmir has issued a circular to the effect that a teacher being late even by a few minutes and that also for unforeseen reasons should be treated as on leave without pay for that whole day even though he applied soon after it for casual leave for a part or whole of that day; which may also be due to him?

If so, does this practice or rule prevail in any other department?

If not, will the Government cancel this circular?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Yes, but a teacher who is late owing to some unforeseen circumstances will not be punished provided that his explanation is considered satisfactory.

PANDIT AMAR NATH KAK : One part of the question has been left out.

THE HON'BLE MR. WAJAHAT HUSSAIN : No other department is concerned with the imparting of education.

PANDIT AMAR NATH KAK : One part of the question has been left.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : That might have been cut out by me.

PANDIT AMAR NATH KAK : No Sir, that has not been disallowed. Are other people also treated like teachers?

THE HON'BLE MR. WAJAHAT HUSSAIN : No, rules have been framed for the clerks of the Education Department.

493. PANDIT AMAR NATH KAK : Will Hon'ble the Minister-in-charge of the Medical Department be placed to state.—

(*a*) What the number of female doctors and trained nurses in the State is?

(*b*) What the number of maternity hospitals in the State is?

(*c*) What the total number of women of child-bearing age in the State is and what it was in the last census?

(*d*) What the average per hundred of women of child-bearing age per doctor or nurse would be?

(*e*) Whether the number of doctors and nurses can cope with the demand?

(*f*) If not, will the Government consider the necessity of increasing the number of female doctors and maternity hospitals to meet the present needs of the country?

(*g*) Are the measures taken so far in this direction adequate?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) There are 8 Medical officers and 31 trained Nurses in the State.

(*b*) There is only one Maternity Hospital in Srinagar. The Zanana Hospital at Jammu also attend to these cases.

(*c*) The total number of women of child-bearing age in the last census was 6,94,223 (ages 15 to 40 married and widowed all included). The approximate number now will be 7,95,243.

(*d*) One Doctor for 99,405 women and one nurse for 25,653 women.

(*e*) Yes, with the existing demand but not with the demand which would arise if our women give up the prejudice against modern treatment.

(*f*) and (*g*) Do not arise.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Birth control is also coming in vogue now.

494. MALIK GHULAM HUSSAIN (Kulgam :Muslim) : (*a*) Have Government prescribed any time for the opening and closing of the courts and offices? If so, the same may be stated.

(*b*) Do Government know that many officers do not punctually observe the prescribed time limitations and they became a cause of trouble to the subjects?

(*c*) If the answer to (*b*) be in the affirmative, what action have Government taken against these officers? If in the negative, will Government make an enquiry into this matter?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : Yes, 10 A. M. to 4 P. M. in summer and 11 A. M to 4 P. M. in winter in Srinagar and 10 A. M. to 4 P. M.

in winter and morning time from 6 A. M. to 12 noon in summer in Jammu.

(*b*) No such instance has come to the notice of Government and it is believed that punctuality is observed.

(*c*) Does not arise.

495. KHAWAJA SAIF-UD-DIN SHAH (Baramulla : Muslim) : (*a*) Is the welfare of the zamindar educated youngmen under the consideration of the Government?

(*b*) Are Government prepared to place before the House a districtwise statement which may show that encouragement is given to the zamindar educated youngmen?

(*c*) If the answer to (*a*) be in the affirmative when will the question of considering over all this be decided? If the answer be in the negative, will the welfare of the zamindar class be considered before everything else?

CAPTAIN KANWAR HIRA SINGH : (*a*) The Government has the welfare of every educated young man at heart.

(*b*) The member is referred to the answer to Q. D. No. 210 given on 19th March 1936. Figures by districts are not available.

(*c*) Government is not prepared to give such an assurance of partiality.

THE HON'BLE MR. WAJAHAT HUSSAIN : Shall I read out that reply also?

KHAWAJA SAIF-UD-DIN SHAH : Yes please.

THE HON'BLE MR. WAJAHAT HUSSAIN : Instructions have been issued to Heads of Departments to give local appointments such as those of Patwaris, Guards, Watchers etc. to local people whenever vacancies occur but it is not possible to give them preference over towns people in other branches of State service who chiefly depend for their maintenance on Government employment. The attention of the member is further drawn to page 24 of the Glancy Commission Report in which the Commission observed that a vast number of Muslims find their hereditary occupation in agriculture and it is reasonable to suppose that a great majority of agriculturists will continue to prefer that occupation to another.

496. KHAWAJA SAIF-UD-DIN SHAH :Will Government please state as to what steps they have taken to stop the evil practice of bribery? Will Government appoint a Commission to enquire into this matter? If so, when?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : (*a*) The Government have issued strict instructions to all officers to desist from such evil practices and where cases of corruption have come to notice, they have taken prompt action against the guilty persons to serve as a lesson for others.

(*b*) and (*c*) In view of the assurance given by the Government in the House, the other day, in this connection, these parts of the question do not arise.

497. MR. NONO TUNIOT SHAH (Ladakh Member) : As there is a general complaint in Ladakh that many non-State-subjects have obtained false State-subject certificates, will the Government kindly appoint a Commission in Ladakh who would investigate the matter, as is being done in Jammu and Kashmir Provinces?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : No such general complaint has been received by the Government but if it is established that false State-subject certificates have been issued and the grievance is genuine Government will be prepared to consider the question.

498. KHAWAJA SANAULLAH SHAH (Handwara :Muslim) : (*a*) Are Government aware that the resolution regarding preference to be given to the zamindars in the matter of Government service has been passed by the Praja Sabha?

(*b*) If it is a fact, will the benevolent Government please state whether any practical steps have been taken in this behalf?

CAPTAIN KANWAR HIRA SINGH : (*a*) Yes.

(*b*) The member is referred to the answer to question No. Q.D. 210 given on 19th March 1936.

499. KHAWAJA AKBAR DAR (Pulwama :Muslim) : (*a*) Will Government state how many complaints of bribery have been received against the Government officials in the Kashmir valley during the last five years and how many files have been prepared? The number of such complaints in each department may please be separately stated.

(*b*) How many officials were suspended and how many dismissed on the charge of bribery during this period?

(*c*) How many officials have been fined for bribery and what amount of such fines has been remitted into the treasury?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : An inquiry will be made and report submitted during the next Srinagar Session.

500. MR. IFTIKHAR ALI KHAN (Skardu :Muslim) : Will Government please state the number of gazetted officers belonging to the Frontier Province? If none, will Government soon make up this deficiency?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : The information is not available as the annual returns received by Government do no show the residence of officers. The latter part of the question does not arise.

501. Mr. IFTIKHAR ALI KHAN : (*a*) Is it not a fact that on the occurrence of vacancies the Government generally appoints the inhabitants of Jammu and Kashmir Provinces to them and that the proportion of the inhabitants of Ladakh Province in service is not kept in view?

(*b*) If it be a fact will Government please pay special regard to the proportion of the inhabitants of Ladakh Province in service?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : (*a*) Vacancies are duly advertised in the gazette and sufficient notice is given to the candidates to apply. The inhabitants of the Ladakh District should submit application if they want employment.

(*b*) Special consideration is already being given to the recruitment of communities which are not adequately represented in State service and the claims of Ladakhi candidates will receive due consideration, if and when applications are made by them.

502. MR. IFTIKHAR ALI KHAN : Can it be expected that the Government will in the first place lower the standard of educational qualifications for service in the case of the inhabitants of the Frontiers and will in the second place accord special treatment to them in the matter of recruitment in service so that the backward class of people may get fair representation in service?

CAPTAIN KANWAR HIRA SINGH : It is not possible to make an exception in favour of the inhabitants of the Frontier Districts as the educational qualifications already prescribed are the minimum necessary for the efficient discharge of duties required to be performed by the incumbents of the various posts. Backward classes already receive special consideration in the matter of services and no larger concession is possible.

503. MR. JAGAT RAM ARYAN (Udhampur Wazarat :Hindu) : Will Government please state :— (*a*) How many persons have been sent on State scholarships for training in Engineering in England uptil now?

(*b*) What scholarship-holders benefited the State on return by their inventions and researches and in what respects did they benefit the State?

(*c*) Will Government get the amount of scholarship refunded together with interest from those scholarship-holders who did not in any way benefit the country by their inventions and researches on return after acquiring foreign training?

(*d*) If the answer to (*c*) be in the negative, will Government please state how they are entitled to this preferential treatment as compared to others?

CAPTAIN KANWAR HIRA SINGH : (*a*) Seven.

(*b*) Four have been taken in Government service and one has set up a hydro-electric plant at Muzaffarabad as a private enterprise.

(*c*) No, as no such condition was laid down in the terms of their agreement.

(*d*) Does not arise.

504. MR. JAGAT RAM ARYAN : Will Government please state what amount is spent on the industrial training of Harijans in the shape of scholarships?

Is any sum earmarked for scholarships to Harijans like the Education Fund?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : Scholarships worth Rs. 252 per annum have been awarded to Harijan students attending the technical schools

during the current year (1992). No sum has been earmarked for scholarships to Harijan students reading in technical schools.

SHORT NOTICE QUESTIONS.

PANDIT RAM CHANDRA DOBEY : Does the Government know that neither the members of Praja Sabha are supplied with the copies of orders issued by the Council from time to time nor copies of the same are placed in the Praja Sabha Library. Will the Government please state if they are prepared to supply copies of such orders to the members and whether the proceedings of the Council will be printed just as they used to be printed in the past?

THE HON'BLE MR. WAJAHAT HUSSAIN (Leader of the House): Copies of Council Orders are not supplied to the members of the Praja Sabha nor placed in the Praja Sabha Library and it is regretted they cannot be supplied to them in their capacity of members of the Sabha. Such of these orders, however, as need publicity are duly published in the Government Gazette. The proceedings of the Council even when printed are not intended for the public.

PANDIT RAM CHANDRA DOBEY : When the Council orders are communicated to other Departments, why are not the same sent to the Praja Sabha office? Is it not one of the Government Departments?

THE HON'BLE MR. WAJAHAT HUSSAIN (Leader of the House) : Sir, all the Council orders are published in the Gazette. If you want the details regarding the discussions of the Ministers individually, that cannot be published.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have enquired about the proceedings. The proceedings would not be disclosed.

SARDAR BUDH SINGH : Formerly when there was a Council here, its resolutions as well as the proceedings were published, wherefrom we could know all about the working of the Council.

THE HON'BLE MR. WAJAHAT HUSSAIN (Leader of the House) : Proceedings are nowhere published. Only the resolutions are published.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : If you want copy of every order, it will be considered whether it should be

supplied to the Praja Sabha office but if you mean proceedings that cannot be disclosed.

PANDIT RAM CHANDRA DOBEY : I mean the Council orders.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : We will consider about the orders.

2. MIRZA M. A. BEG : (*a*) Is it a fact that no warning has so far been given to the Inkishaf (a weekly Urdu paper of Jammu) by the Government.

(*b*) Is it also a fact that the Inkishaf has never been black-listed by the Government.

(*c*) Is it also a fact that the District Magistrate Jammu has demanded a security from the said paper Inkishaf?

(*d*) If the answer to (*c*) be in the affirmative, will Government please state why the security has been demanded from the said paper by the Government?

(*e*) Will Government please also state if there is any precedent for demanding security without warning or blacklisting a paper previously? If not, why the Inkishaf has been singled out for such a treatment?

Will Government please also place on the table of the Praja Sabha all record against the said papers as have been treated like the Inkishaf in demanding security without warning or blacklisting?

(*f*) Will Government please also lay on the table of the Praja Sabha all record against the said paper Inkishaf which warrants the demand of security from it?

CAPTAIN KANWAR HIRA SINGH : (*a*) Yes.

(*b*) Yes.

(*c*) No.

(*d*),(*e*) and (*f*) Do not arise.

MIRZA M. 'A. BEG : Security has been demanded from the said newspaper but the reply has been given in the negative. Will you

please state whether the District Magistrate did not demand any security?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I say, no security has been demanded. You have got the information. It is not the business of the Governor but that of the Hon'ble Prime Minister.

You have addressed to the Hon'ble Prime Minister I have not done it. You have said District Magistrate, how can District Magistrate demand security. The District Magistrate has no authority to demand security from a paper. I think you have made a slip in writing Governor instead of the Prime Minister.

MIRZA M. A. BEG : Sir, the Governor has demanded the security and not the Hon'ble Prime Minister.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I beg your pardon because I thought that you made a mistake. I am sorry. Enquiry will be made whether District Magistrate has demanded any security.

RESOLUTIONS.

RESOLUTION NO. V.

This Praja Sabha recommends to the Council that a Commission consisting of official and non-official members be appointed to recommend reduction in the salaries of the establishments of various Departments and fixing standard for such salaries."

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It is continued from yesterday.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : The amendment has not been read and he is speaking on the amendment.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Please read the amendment.

NOTE.—The Assistant Secretary read out the amendments.

PANDIT AMAR NATH KAK'S AMENDMENT.

In the resolution No. 5 on the list of 26th March and in the

resolution No. 1 on the list of 27th March (both being the same) :---

(*a*) The word "Establishment" may be substituted by the words "Employees in the higher grade" and

(*b*) at the end of the resolution the words "With a view to fix a reasonable proportion between the highest and lowest paid servants of the Departments" may be added.

PANDIT JIA LAL KILAM'S AMENDMENTS.

In the resolution No. 5 on the list of 26th March and in the resolution No. 1 on the list of 27th March (both being the same) the words "the establishments of various departments and fixing standard of such salaries", be substituted by the words "officials drawing pays over Rs. 200 a month".

NOTE.—Khawaja Ghulam Mohammed Sadiq also proposed the above amendment.

PANDIT AMAR NATH KAK : Sir, this resolution has been moved by Sardar Kanhaya Singh. I expected that Sardar Sahib who always pleads the cause of poor zamindars and says that wealthy money-lenders harass them too much, would, while taking the question of salaries of officials, say that the pays of the poor officials in the lower ranks are already meagre and that if some reduction is possible at all, it is in the salaries of the high-grade officers only. I want to explain to you the helplessness of the low-grade officials. In 1986 it was decided by the Ministers that reduction should be made in the number of the employees and in their salaries. They issued orders for causing such reduction and in order to enforce these orders a Committee consisting of official and non-official members was appointed so that it might make the required reduction and readjustment. With effect from 15th Baisakh 1986, for the first time reduction was made in the number and the salaries of the low-paid employees. All know what difficulties had to be faced on account of this reduction in the number and salaries of the low-grade officials. So far as the Judicial Department is concerned I can say that great inconvenience is being experienced in the execution of services. Cases cannot be decided speedily and several cases had to be adjourned and all this is due to the insufficient number of peons. Similarly the "Readers" were brought under reduction with the result that files cannot be properly arranged. The Readers having been reduced, low-paid Ahlmads have been appointed and each of them has been entrusted with so much work that he cannot discharge his duties satisfactorily. The Hon'ble Judicial Minister knows that quite a large number of cases had to

be postponed for 'non-execution of service' and His Lordship's desire that cases be decided speedily cannot be fulfilled. Besides the grade of Head Clerks was 75-5-100 and a person drawing Rs. 75 as pay used to get Rs. 102 including allowances and in five years' time they could get Rs. 135. When the pays were revised, the Head Clerk's grade started from Rs. 85 instead of Rs. 102 *i. e.* in order to get Rs. 135 the incumbent had to wait for ten years instead for five years. Nay, this is not all, the annual time-scale increment in pay has also been stopped *i. e.* the emoluments of these posts have been reduced from Rs. 102 to Rs. 85. The pays of Superintendents at that time varied from Rs. 187/8/- to Rs. 285 per mensem. The grade of this post was revised and fixed at Rs. 150 to rise in 10 years to Rs. 240 but the annual increment was stopped. The grades of the subordinate clerks were also revised and their emoluments varied between Rs. 20 and Rs. 75. Annual increments were stopped and the pays also were reduced. The menial staff was greatly reduced and many clerks also were retrenched. On the one hand the pays have been reduced and on the other each person has been made to do the work of two or three persons. The question of revising the salaries of the gazetted officers was also under consideration but some how or other this question was postponed and upto this day it has not been taken up.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) : Their increments have also been stopped.

Pandit Amar Nath Kak : The next thing worthy of your consideration is regarding the lower grade officials. The Glancy Commission also made recommendations for increasing the pays of the lower grade teachers and in their report on page 16 it has been clearly stated that so far the pays of other officials have been augmented to some extent, but those of the lower grade teachers have not been increased at all. It is the fourth session of the Praja Sabha now and in every session the attention of the Government has been drawn to the question of increasing the pays of the lower grade officials, but so far no action has been taken in this matter. In the first session it was stated in connection with the revision of salaries that the grades would be revised within a few months, but so far nothing has been done in the matter although instead of a few months, some sessions have passed by.

In 1989, the Retrenchment Committee was appointed but at that time also the high-grade officers were not touched and the poor low-grade officials were made to be the victim of this retrenchment. Their number and pays were further reduced and thus they were made to suffer a good deal. Now if even after appointing so many

Retrenchment Committees, the mover of the resolution wants further reduction in the establishment, I think he will agree with me that the lower grade officials should be exempted from this reduction and I should say that the Government too should accept this amendment. The members of the Praja Sabha and the Government should endeavour to provide means for poor clerks to lead a respectable and honest life. They can live such a life only if they be provided with necessaries of human life. If their emoluments are not sufficient to provide them with these necessaries, they cannot lead respectable and honest lives. So, if you want to maintain the efficiency of the Government and to let the poor clerks live like human beings, honourable and honest lives, you must not reduce their pays. On the other hand their pays must be increased so as to enable them to provide themselves with the primary necessities of life. Moreover, the services of the lower grade officials must be made quite secure. Now a days the officials never find their position quite secure. This should not be the case. The apprehension that Rs. 10 which one of them is getting might be reduced to Rs. 5, that although one is receiving Rs. 50 today, who knows tomorrow his pay may be reduced to Rs. 30 only, should never occupy their minds. For petty errors and faults the poor clerks are degraded to lower grades or are given other severe punishments. For ordinary clerical mistakes or oversights the low-grade clerks are awarded cruel punishments although it is human nature to commit such errors. How far can it be justified to treat a low paid official harshly if he, by mistake, writes the figures denoting rupees in the column meant for annas and annas in the one meant for rupees, especially when no loss is caused to any person by such a mistake. Clerical slips are pardonable and they must be overlooked.

So, I would submit that no reduction should be made in the pay of the low-paid officials and that they must be exempted from such reduction.

The next thing that I want to submit is that there must be some principle in fixing the pays of the high grade and low grade officials *i. e.* there must be some reasonable proportion between the pay of the Directing Agency and the Operative or the Working Agency. It should not be that the Director of Education may get Rs. 1,500 a month while a teacher may be paid Rs. 15 per mensem only. This is very ridiculous. It is right that keeping in view the position of the higher officers and the brain work that they have to do, there must be some difference between their pays and the pays of the subordinate officials but there should not be such a disproportionate difference that an officer may get 500 times or 1,000 times the pay of a subordinate official. It is not objectionable if the former re-

ceives 5 or 10 times the pay of the latter, but such a wide difference should never be allowed. Some one may say that in British India also the pays are fixed in the same proportion. In this respect I would submit that as remarked by the Hon'ble Home Minister, we are very fortunate and we are proud of the fact that we are being governed by a native Ruler. We have our His Highness the Maharaja Bahadur's Government here. In British India the employees in the higher services are meant to drain the finances, but here we have the Sawraj and therefore that policy should not be adopted here, rather we must adopt the policy of the countries which have got Home Rule. In such countries the greatest difference between the highest and the lowest pay makes these pays stand in the ratio of 1 to 75. In advanced countries usually these pays are in the ratio of 1 to 15 or 1 to 25. In certain countries they are in the same ratio as of 12 annas to a rupee. The reason is the same as I have already submitted *i. e.* every person has a right to live a respectable and honest life because all persons have equal rights, but as every one has to discharge different set of duties ; for instance, one has to do brain work, another has to do manual work and still another, some other work, so in order to provide facilities in their respective works, it is necessary to maintain some difference in their emoluments in accordance with their requirements. For instance a doctor should be provided with sufficient amount to enable him to keep a motor-car so that whenever required he may be in a position to go to see the patients with the least possible delay, while the labourers or ordinary clerks do not stand in need of a motor-car. Similarly for the proper discharge of the duties of the high-grade officers, a reasonable proportion must be maintained in respect of their pays but this fact is being lost sight of here in the State. So, I would submit that while considering the question of reducing the pays, the words "low-grade establishment" may be deleted, and the salaries of the gazetted officers only may be taken into consideration because the former have already been dealt with severely in 1986 and now the work has also considerably increased. The ratio between the highest and the lowest post should be decreased to such an extent that this Government may no longer be called a "top-heavy" Government. The pays of the low paid officials should be raised so as to establish reasonable ratio between the pays of the high and low officers and the officials should have assurance that their services are secure. I hope that Sardar Kanhaya Singh and other members of the House will duly consider my amendments and pass the resolution as amended. (Cheers)

Sardar Budh Singh : Hon'ble President ! My worthy friend Pandit Amar Nath Kak has clearly explained the nature of

this resolution. Yesterday in the course of one of my speeches I submitted that great difference has been maintained between the pays of the low and the high officials. The pays of the low grade officials are extremely meagre and therefore they cannot discharge their duties honestly. Their pays being too low to provide with the necessities of life they feel inclined to take bribe and thus complaints are made against them to their officers. I want to submit that it is the petty clerks who do all the work in offices; they prepare files and submit office note to officers. It is the petty clerks working in the dark and dingy rooms and exerting their brains, who prepare office notes and precis of the cases. It is not only the work of the arrangement of files and the preparation of precis of cases that they do, but rather they are made to draft out the judgments also and submit these before the officers. They have to work very hard; they took sickly like one suffering from phthisis; no one cares to see to their condition. On the contrary it is they who are made to suffer at the time of retrenchment, but nobody ventures to touch the case of officers drawing big salaries. In order to explain their pitiable condition the poor clerks sought permission to start a Clerks' Association but their request was rejected and now they have been rendered unable to put forth their grievances. It is said that the clerks are Government employees and as such it is not expedient that they should start an Association. As such they cannot now sit together to find out some means of redressing their grievances. We want to protect them. I hope Sardar Kanhaya Singh never meant by his resolution that the pays of the petty officials be reduced. My worthy friend Pandit Amar Nath Kak has pointed out that such a marked disparity between the salaries cannot be found in any other country. No doubt there is too much disparity. A Head Clerk gets Rs. 60 whereas the Secretary gets Rs. 600 per mensem and the Minister Rs. 4,000. I would say that there cannot be so much difference in the brain, intelligence and the industry of these persons as there is in their pays. A Minister, a Secretary and a Head Clerk, all the three can be LL. Bs. So, if they have equal qualifications and if they do the same amount of work, their salaries too should bear some standard proportion to one another. Why should there be so much disparity in salaries? This is certainly a pitiable state of affairs. In one of his speeches, the Hon'ble Home Minister stated that he did not like the State to become bankrupt. In reply to our questions as to why a certain bridge or road was not constructed, we were told and are even now being told that the Government would consider the question sympathetically, but due to financial stringency the work could not be carried out and that the Government does not like to see the State becoming bankrupt. I would submit that we too do not like that the State should become bank-

rupt, but our mouths have been gagged; we cannot say anything. The annual income of the State amounts to two crores of rupees. Out of this more than one crore is being spent on reserved subjects and we cannot even refer to them. It is not our duty to object to the salaries of our kind friends, the Ministers and the Heads of Departments. If we had control over the income and the expenditure *i. e.* if we could control the means of income and limit of expenditure and if our mouths were not gagged, I would submit that, not to speak of two crores we could make an income of ten crores of rupees and have Ministers each drawing not four thousand rupees a month but ten thousand rupees a month.

What is being done at present is that the Hon'ble Ministers divide the income of the State amongst themselves and thus increase their salaries and themselves judicially justify the increase and place the Budget before us in the form of an enigma. One of my friends explained the process of increasing the salaries. He said "when a proposal for increase in the pay of a certain officer comes before the Council, it bears the remark that" Superintendent is not a good designation and that the post should be designated as Director or Director General". With this change of designation the increase in pay is immediately sanctioned and thus the salary rises from Rs. 500 to Rs. 1,500. Another friend of mine once said to me, "My pay has been increased". I asked, "Did you apply for the increase or was it otherwise necessary to do so". He replied, "No, I did nothing. It increased of itself". I do not understand how under such circumstances the Budget can balance. First of all we must know the sources of income. The only permanent sources of income are land-revenue and grazing fee but those who pay these taxes cannot utter a syllable about this, even if you do not spend a single pice for their good. However time is not far off when income from these sources will not remain permanent. Income from the Customs duty is also fluctuating because it depends on the import of goods and if the goods be not imported, the income from this source is bound to fall. Now I shall submit something about forests. If today the cutting of trees be stopped or if the price of timber falls, the income from forests will decrease. The same is the case with the Silk Factory the present condition of which shows that it is at the verge of being closed. So I would submit that your income is not sure. Out of the sum of 67 lacs of rupees that you realize from zamindars at least 60 lacs of rupees should be returned to them. When we were rendering war services it was said that zamindars should volunteer for the war simply to maintain the Honour and the dignity of His Highness the Maharaja Bahadur. The parents and the children of the recruits wailed but they were told that it was their duty to sacrifice their

lives and every thing else for maintaining the dignity of their Ruler, because the Ruler and the ruled are like body and soul, that they would be granted lands and that whatever was being realized from them in the shape of land-revenue etc., would be returned to them in different forms. With these hopes we offered our services for the war. I would submit that those who pay 67 lacs of rupees have no voice. For them, it suffices that they are loyal to His Highness the Maharaja Bahadur as they must always be. However, if you want that the country should prosper in the true sense of the word, it is the duty of the Government to return to the zamindars at least 60 lacs of rupees in the shape of schools, roads, hospitals, bridges etc. Leaving aside the 'reserved subjects' we have only one item to discuss namely, that all higher salaries be reduced. I request you that for God's sake have mercy on this country and reduce your salaries by some amount yourselves. Our Ministers receive Rs. 2,500 a month and are enjoying. I submit that the same work can be accomplished for Rs. 1,200 a month also.

There is a saying that somebody said to the Forest "An axe has been invented". The Forest replied "I don't care, but when it was told that a wooden handle had been fixed to the axe, the Forest said, "Ah, now I am ruined". Similarly our Ministers are made to coalesce and thus big salaries are got sanctioned.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : When retired, we will also talk like that.

SARDAR BUDH SINGH : I am not addressing you. So you may please listen.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Why should he not speak. You cannot stop him from speaking. I, as President, will not stop him from speaking.

SARDAR BUDH SINGH : You are overawing me for no reason. I do not address him. He may say whatever he wants to say. When he has not raised a point of order, nor has he made any complaint, nor have I asked for any ruling from the Chair, why such uncalled for orders are being made?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : I would submit that our own Ministers desire to be paid Rs. 3,000 instead of Rs. 2,500 a month. They do not want that the question of reducing their salaries be raised in the Council, rather they want that their salaries should be enhanced. Similarly the salaries of the Secretaries and the Judges are also increased. My submission

is that the pays of the lower grade officials may be increased so that they may discharge their duties honestly and stop extorting money from the people causelessly. I cannot help saying that the standards of pays may be fixed within such limits as the present sources of income permit. Hence I support the amendment moved by Mr. Kak.

PANDIT GOBIND RAM KABU : Sir, I have stood not only to support Pandit Amar Nath Kak's amendment but also to draw your attention to certain facts. It has been just now stated how the salaries of the Heads of Departments increase. I also want to submit something from my information. Formerly in the Public Works Department a Divisional Officer used to draw Rs. 600 a month. In the course of retrenchment, the low-paid clerks were either retrenched or their pays were reduced. As regards the Heads of Departments I would submit that one morning they wake and find that their salaries have been suddenly raised from Rs. 400 to Rs. 1,000 *i. e.* at the time when they went to bed they were drawing Rs. 400 but in the morning their pay was raised to Rs. 800. This is the way in which the salaries of the Heads of Departments are increased. This is not the case in the Public Works Department only but other Departments also. As regards the efficiency of the Public Works Department, I would submit that although there are so many trained and experienced Engineers who are drawing very high salaries, yet in order to devise means to control the flow of a turbulent river, an expert Engineer is required to be called from outside. (Laughter)

This is the result of increasing the salaries. So, with these words I support the amendment moved by Mr. Kak.

PANDIT JIA LAL KILAM : Sir, I want to speak.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Have you moved any amendment?

PANDIT JIA LAL KILAM : Yes Sir, I have also submitted an amendment.

My learned friend, Mr. Kak has stated something in support of his amendment. I have also given notice of an amendment to this resolution, because I think that you have not only to fix a ratio between the highest and the lowest pays but rather, I think, that the principle governing the salaries should be that the pays should not be disproportionate to the income. Take the example of the neighbouring Province, namely the Punjab. The population of

that province is 2 crores while that of the State is only 36 lacs. The income of the State is about 2 crores of rupees and that of the Punjab is four times this amount. If we are to follow the practice obtaining in the Punjab we find that although the population of that province is 2 crores as against 36 lacs in the State and the income is about 11 crores of rupees, the Ministers of the State draw greater salaries than those of the Punjab. Keeping the figures of population and income in view this ought not to have been the case here. No doubt this makes the position of our Government ridiculous. We are loyal to the Government and we do not want that we may be made to account for the ridiculous position of the Government. Sir, you know that in the Punjab no Minister gets more than Rs. 3,500 per mensem.

THE HON'BLE MR. WAJAHAT HUSSAIN : There the Ministers do get more than Rs. 3,500. The salary of Dr. Gokal Chand Narang is Rs. 5,000.

PANDIT JIA LAL KILAM : Well, if there the Ministers be drawing Rs. 5,000 even then proportionately to our income the Ministers here should get Rs. 1,300 a month. It is easy to calculate the salary in proportion to the income. I hope no one will differ from me in this respect. This rule applies not only to the Ministers but equally to the other Heads of Departments also. In the State the salaries are not in proportion to the income. In this connection I would like to submit the causes responsible for the increase in the salaries of our Ministers and the Heads of Departments. If you see the Budget for the year 1929, you will find that our forests yielded huge income because of the export of our timber into the Punjab in a very large quantity. At that time the Punjab suffered considerable loss. But that was only a passing phase. The result of this income was that the treasury became full and this fact offered great temptation to our Ministers and they increased the salaries. However, there was a certain special reason for increasing the salaries in 1929, but now the Government is itself declaring that there exists a financial stringency. So it is incumbent upon the Government to reduce the salaries. But in spite of financial stringency the salaries of the Ministers are being further increased. It may not please be construed that we have some mean motives and that we maliciously desire that the Ministers should also become poor like ourselves. My submission is that the Ministers and the Heads of Departments should have patriotic feelings and should reduce their salaries to some extent. I have proposed a reduction of Rs. 200 and I hope that this small reduction will not have a very serious effect upon the Ministers and the Heads of Departments. In short I submit that reduction in salaries should be at a progres-

sive scale. This will lighten the burden on the Government treasury and will add to the prosperity of the people and the financial stringency will also be removed.

SARDAR KANHAYA SINGH : Sir, I accept the amendments moved by Pandit Jia Lal Kilam and Pandit Amar Nath Kak that the salaries of the officials drawing more than Rs. 200 should be reduced.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Mr. Kak has not mentioned any sum.

SARDAR KANHAYA SINGH : Pandit Jia Lal Kilam has specified the minimum limit at Rs. 200.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : He thought that just as he has concurred with Mr. Kak and Mr. Kilam similarly they will also agree between themselves. (Laughter)

MR. GHULAM MOHAMMAD SADIQ : I too have given notice of the same amendment as moved by Pandit Jia Lal Kilam. This is not a new question but an old one and is becoming more important day by day. This is an admitted fact that so long as the Government will not reduce the salaries of its officers, there will remain a gulf between the Government and the subjects and the relations between the two will not become amicable. This fact has been urged not only by means of newspapers but also by making direct requests to the higher officers of the Government, but although this matter has been brought to the notice of the Government very impressively yet I regret to say, the Government has paid no heed at all to this. On the contrary, in order to suppress the public voice a new law under the name of Criminal Law Amendment Regulation has been brought on the Statute Book. I want to make it clear that the policy of suppressing the voice of the public is not good for the Government. My honest advice to the Government is that it should pay heed to the Press and the Platform. This will bring about co-operation between the Government and the subjects. The importance of this question is also evident from the replies given to questions that are put in this House and which show that the financial and economic condition of the subjects is deplorable and wretched. After this, I want to draw the attention of the Government to those departments which are entrusted with the work of nation building ; such as, Education, Medical, Irrigation and Co-operative Departments. These are the departments that benefit all

persons whether Hindu, Muslim, Sikh or Christian without any distinction of caste or creed, but when funds are demanded for these departments, it is said that there is financial stringency. The condition of these departments of public utility is wretched and pitiable. In hospitals there are qualified doctors and nurses drawing handsome salaries but there is lack of beds for patients ; there attendants are not to be found and cleanliness is wanting ; the good medicines are not available ; there is no arrangement for good diet and even the building does not provide sufficient accommodation for the patients. Now, as regards education, I would submit that there is one teacher for five classes who has to teach four or five subjects and the worst of it is that the teachers are very low-paid. Similar is the case of other departments. The condition of the Co-operative Department is deplorable for want of establishment.

For the last eight or ten years there is trade depression in the world which has shaken the country from one end to the other with the result that the value of money has gone high *i. e.* in other words, the prices have fallen. There was a time when prices were high. Then it was not improper to increase the salaries, but now when the prices have fallen, how can it be justified to maintain such high salaries? I would strongly urge that it is the first and the foremost duty of the Government to reduce the salaries. I have just received an information that the Hon'ble Home Minister has reduced the pays of peons. It is not proper to do so. Reduction in the pay of peons will not solve the problem ; reduction should be made in the salaries of high officers.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Hon'ble Home Minister ! It is a complaint against you.

THE HON'BLE MR. WAJAHAT HUSSAIN : I did not hear.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : It is being urged that you have reduced the pays of peons.

THE HON'BLE MR. WAJAHAT HUSSAIN : I am not even aware of this fact, nor have I reduced the pay of the peons of my department.

MR. GHULAM MOHAMMAD SADIQ : I mean to say that the pays of the sweepers of the hospital have been reduced.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : A strange charge ! You now say "I have not said so".

He says sweepers and not peons (Addressing the House).

THE HON'BLE MR. WAJAHAT HUSSAIN : I have no information about the reduction in the pays of the sweepers or peons of the hospitals.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Every thing will be listened to whatever you say.

MR. GHULAM MOHAMMAD SADIQ : Hon'ble President ! it is an important principle of taxation that a particular portion of a person's income should be exempted from the payment of tax as is necessary for his maintenance. According to this principle income less than Rs. 2,000 per annum has been exempted from income tax and when the prices were high the officials were granted dearness allowance which was discontinued when the prices became normal. So in view of this principle also it is not just to maintain the present standard of salaries.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I think you are also arguing about famine allowance. You are supporting the employees getting below two hundred rupees. Famine allowance was not given to the employees paid above two hundred rupees.

MR. GHULAM MOHAMMAD SADIQ : It has been proposed that the salaries of the officials drawing Rs. 200 or less may not be reduced. It is because if their pays will be further reduced, they will not be able to provide for themselves the necessaries of life or do something for the betterment of their children. Another defect that exists in the machinery of our administration is that higher grade officers are receiving very high salaries as compared to those of lower grade officials who are getting very meagre pays. This state of affairs will lead to very bad results. Feelings of distrust will be intencified and unemployment will increase and communistic ideas will take root. At the end I request the Government to accept the amendment to give a practical shape to the resolution as amended and to depart from its present policy where "rich are becoming richer and the poor, poorer".

MR. JAGAT RAM ARYAN : No one can deny that it is the first and the foremost duty of every civilized Government to provide food and employment to every adult person who is willing to work. Rather it is the unanimous verdict of all the economists "that it is the first and foremost duty of a Government to provide living wages for all male adults willing to work". Unfortunately our Government has ignored those golden rules of Government. When we request the Government to do something to remove unemployment,

it advances the plea of financial stringency. But although this financial stringency stands in the way of removing unemployment, I wonder how it varnishes away at the time of paying thousands of rupees to the Hon'ble Ministers and other officers. The high officers of our Government are in no way less than Sahukars. Mr. President, I belong to that class of the subjects which for long centuries together has been oppressed from all sides. I know thousands of people who find nothing to eat for several days together and satisfy their hunger with the leavings of other people. My fellowmen do not have biscuits, pastry or cakes but live upon the barks of trees and the wild grass and the Government is so kind to them that when a question is asked about them, it scoffs at it and sometimes some Hon'ble Minister speaks out in a princely manner. I am also a Harijan. Mr. President, a few people of my community get two meals a day. Hence out of the sense of responsibility I want to submit that the object of paying taxes, land-revenue and grazing fee is not that the high officers should receive thousands of rupees for doing nothing while those who pay these taxes should live in abject poverty.

Sir, it is clear injustice that a person who is in no way better than myself should get thousands of rupees as monthly pay from the public treasury while I because of poverty may be thinking of committing suicide. Sir, no power on earth can check thinking. The Government can imprison people in dark dungeons, exile them, oppress them but cannot have any sway over their thoughts; they are beyond the control of even the greatest power on earth. So it is incumbent upon the Government that it should not devote itself to providing comforts and enjoyments to a few persons only, rather it should look after every individual of its subjects. It is the duty of the Hon'ble Ministers and other high officers to reduce their salaries because they are every moment striking at the root of this administration under which we have been living so far. With these words I support this resolution.

BAKHSHI MOTI RAM : I support the amendment moved by Pandit Jia Lal Kilam because in 1987, reduction was made amongst the menials and the clerks and the grades of their pays were fixed and therefore it would be a hardship to them, if the pays of low grade officials be further reduced. However it is necessary that the salaries of high officers be revised so that some saving be made by reducing the pays of those officers who are drawing unduly large sums.

It has been seen that there is no proportion between the pays of the high and low officials. If the Head Clerk in a office gets

Rs. 100 a month the Head of the Department draws six or eight times that sum. Hence it is expedient to find how much reduction can be made in the salaries of the high officers.

LALA SHIV NATH NANDA : The question before the House has already been fully discussed by my worthy friends who are unanimous on the point that it is necessary to reduce the salaries of the high officers. Mr. Kak and Mr. Kilam have moved amendments that the pay of the lower grade officials should not be reduced and that only those of the high officers should be reduced.

The amendment moved by Mr. Kilam is that only the salaries of the officers drawing more than Rs. 200 per mensem should be reduced. I have failed to understand the amendment moved by Pandit Amar Nath Kak. However, Sardar Kanhaya Singh has accepted both these amendments, I have to say one thing only. In the course of his speech regarding a resolution, Pandit Ram Chandra Dobey stated that the salaries of the Ministers used to be Rs. 1,500 per mensem each. I also am aware of this fact. At first the Ministers used to draw Rs. 1,200 per mensem each. Subsequently their salaries were raised to Rs. 1,500 and then to Rs. 2,000 and now they receive Rs. 2,500 per mensem each. In the reign of Maharaja Gulab Singh Ji a Minister's pay was Rs. 1,200 per mensem. In those days although the prices were high yet the Ministers enjoyed facilities which are not available to them now. Then each Minister had the free use of a coach to bring him to the office and carried him back. Besides this he had a rent-free house. Moreover in those days His Highness the Maharaja Bahadur used to grant to the Ministers and other officials lands for building houses and for other purposes. Today nobody is granted land like this. I remember, Dewan Bishen Dass who was a Minister then and has also held the office of the Chief Minister was granted such a big Jagir in Kashmir and has so much land as will be sufficient for his several generations.

SARDAR HARI SINGH : He has no Jagir.

LALA SHIV NATH NANDA : Well, he has land, if not Jagir. You may please take your seat. Sardar Hari Singh has said that Dewan Bishen Dass has got no Jagir but I would submit that he has a vast tract of land in the Kashmir valley and in addition to that he gets a pension amounting to Rs. 600 or 800 per mensem.

I was submitting that the Ministers used to get carriages and houses free of any payment. Besides whenever a Minister went to pay respects to His late Highness the Maharaja Bahadur the

latter used to send a present to the former's house. My friends have said that formerly the officers used to get low salaries. I admit this fact but you must know that the facilities that were then enjoyed by them besides their salaries are not available to anybody now. Then there was no income tax. Now the Hon'ble Ministers have to pay Rs. 200 or 250 as income tax to the Government. When the daily allowance of the members of the Praja Sabha was fixed at Rs. 5 per diem, all of them objected that it was too low. Some members came to me and said that the daily allowance of Rs. 5 per day is very low and that we must try to get it increased. So we drafted an application stating that the daily allowance of Rs. 5 per day was too low. It would have been really creditable if at that time, considering the fact that we represent poor people and that we have to raise objections why such big salaries are being paid to other people, we had declined to take any allowance (Laughter). If we had done so we would have been in a position today to say that Ministers are drawing too big salaries which should be reduced. On the one hand we say that the rates of T. A. are low and should be increased and that we should be given services and on the other hand we say that the salaries should be reduced. It is quite a strange thing (Laughter). We should say to the Government that salaries should not be reduced, rather these should be increased (Laughter). We should submit such schemes before the Government as would benefit the Government and increase its revenue. When such schemes will be submitted the budget will of its own accord show surplus and everybody will be glad to see to this and there will be no need of reducing the salaries of the establishment.

It is a pity that although there have been four sessions of the Praja Sabha, nobody has submitted any scheme whereby the income of the State could be increased and the expenditure decreased.

In the last session also it was urged that salaries be reduced and now again the question has been put forth. It is only yesterday that my worthy friends were saying that in order to put an end to the practice of bribery the pays should be increased and today they are saying that salaries be reduced.

A VOICE : There is no question of reducing the pay of the lower grade officials. The proposal is to reduce the salaries of those officials who draw more than Rs. 200 per mensem.

LALA SHIV NATH NANDA : Then it means that only those officials who draw upto Rs. 200 accept bribes. (Laughter)

The respected Sardar has not stated that the Sikhs should also fall within the purview of this resolution. I would request my respected friend to listen to what I say about expenditure which was incurred during those times. There used to be a carriage drawn by two horses. The residential house was provided by the Government. "Sais" was also provided. Whenever the late His Highness sent for any Minister he was always late and His Highness would become angry with him for not coming one car. They have to pay house-rent for their bungalow a Minister has to spend Rs. 200 per mensem for keeping one car. They have to pay house-rent for their bungalow which comes upto Rs. 250 per mensem. The other day the Hon'ble Finance Minister remarked that he had to pay Rs. 250 as income tax. There was no income tax in the bygone days. Therefore I submit that the present salaries are nearly equal to those in the past. These should neither be increased nor decreased. My submission is that I too would have supported this resolution regarding the reduction in the pay of the Ministers provided I would have been in service. I receive pension from the Government treasury. When I was in service I did not utter even a syllable. Why do my friends who are supporting this resolution not say that their pensions should also be reduced but on the other hand (Cheers) when there is a dispute regarding the T. A. bill, they atonce bring it to the notice of the Hon'ble Finance Minister. Someone has rightly said that the bearer alone konws where the shoe pinches. A respected friend stated that the Government is no less an oppression than the Sahukars and money-lenders. My submission is that here too the Sahukars are referred to. The Sahukars are referred to in the Government services and in the remission of land-revenue also. It is the Government who are userpers. The Co-operative Department charges interest at the rate of Re. 1 per cent. but still you say that it is for your well-being. Moulvi Mohammad Abdulla Sahib has stated that he saw pounds contained in a pitcher belonging to some one ; but at that time Sardar Sahib remained silent. It would have been a fine thing if he had sent him to jail.

MOULVI MOHAMMAD ABDULLA : Perhaps your memory is weak.

- LALA SHIV NATH NANDA : Yes, Sir, my memory is weak, but you please resume your seat. It is said that the money-lenders are robbing the poor people ; but today the Government has come to know that the money-lenders are blamed for nothing. The Government must remember that it is incorrect that land-revenue alone constitutes the permanent income. I want to make it clear to the Government that it is due to the money-lenders that the

Government is being run. If we do not pay custom, income tax etc. the income will decrease. You may calculate as to pays more towords the income of the State. They say that there should be a reduction in the land-revenue. Kahcharai should be remitted but we Sahukars are not even referred to and they want to reduce the salaries of the Government officers for no reason. (Cheers)

There are at present, four Ministers, eight Secretaries and eight Assistant Secretaries also. The Superintendents are getting Rs. 250 each per mensem as before. The Assistant Secretaries are paid Rs. 300 or Rs. 400 per mensem. There are eight Secretaries and their pay ranges from Rs. 400 to Rs. 600 per mensem and not Rs. 800. My submission is that the officers whose pays are required to be reduced were formerly paid Rs. 400 and now they are paid Rs. 600 inspite of it. It is said that their salaries are very high. And out of this some money is received back as income tax. I want to mention one fact and that is this that 5 or 6 years back I saw the Hon'ble President in this connection and requested him to propose a scheme whereby the salaries may be reduced and thus the financial difficulty of the Government may be removed. He said that it was quite true; but if out of four Ministers the pay of each Minister was reduced by Rs. 200 there would be a reduction of rupees eight hundred. Can there be an addition in the income by doing so? There is no need of reducing the pays of the Government servants. I have come to know by asking questions that there has been a loss of Rs. 3,00,000 in the Sericulture Department. If there had been no such loss we would have made recommendation for increasing their salaries. (Cheers) Whatever I say is quite true and it is based upon some principle. You may go on making lengthy speeches but the object of the Praja Sabha is to place the grievances of the people before the Government and not that there is no need of the Government and to ask the Government to resign (Cheers), and that we should occupy their places. If that is your intention then I would submit that you can never succeed in achieving this object. Jealousy is very bad thing. If you say that Lala Shiv Nath Nanda has a lakh of rupees let us deprive him of these; it would amount to jealousy and thus it would be very bad on your part. As regards Sardar Sahib I would say that he is faithful man. He puts on Khaddar, sends his pension home and himself lives on vegetables. If you too live like him, wear Khaddar and take whatever he takes it is only then that I would consider you to be a true representative; but when you are sitting on the chairs so magistically, what should I consider you to be. There are LL.Bs. also in this House. You feel zealous of one capable person. It is due to their hard work and capability that they have attained high positions. If you

become efficient you will also make a way.

PANDIT JIA LAL KILAM : They ask what hard work they have done.

LALA SHIV NATH NANDA : They have spent thousands of rupees on education and that too from their ancestral property and they have not received education on Government scholarships. It is in lieu of that they are so highly paid. They did not send any application but on the other hand it is the Government that requisitioned their services, because there was no qualified man in the State. There are hundreds of Vakils here but inspite of that to fight your own case you engage pleaders from outside by paying them handsomely. They are paid for their efficiency. My submission is that if you also possess such abilities you can also occupy such chairs, but this cannot be done merely feeling jealous of them.

NOTE.—The Hon'ble President reminded him of time.

LALA SHIV NATH NANDA : Sir, my time is over but I would submit that the purport of this resolution is that the money thus saved be utilized for the welfare of the zamindars. My friends did not say that this money would be utilized for the good of the Sahukars also. Had they said this, I would have supported this resolution. But now I do not support it. They have restrictions and they do not get leave. They have to go to offices at 10 A. M. and leave at 4 P. M. They prepare schemes for your well-being and you say that their pays be reduced. I think it would be better if you withdraw this resolution.

THE HOH'BLE MR. WAJAHAT HUSSAIN : Sir, today I have had the occasion to listen to several speeches but it is with regret that I have to say that after listening to them I have not understood as to what infact has been stated regarding this resolution. The original resolution was that a Commission be appointed to recommend reduction in the salaries generally. Mr. Jia Lal Kilam moved an amendment to it that the salaries of those officials who get less than Rs. 200 may not be reduced. Perhaps at the time of proposing this amendment, Pandit Jia Lal Kilam did not have with him the figures of salaries and therefore he has moved this amendment. I have not been able to collect complete figures but I have here with me figures of the two Departments under me. The total expenditure on the establishment of the Education Department is Rs. 13,62,000. Out of this sum the expenditure on the salaries of the officers getting Rs. 200 or more amounts to

Rs. 2 lacs and Rs. 11 lacs and 37 thousands are paid to those who receive less than Rs. 200 per mensem. In this Department there is a long standing complaint that the pays of teachers are low. There is the same complaint in India and in England too. But Pandit Gobind Ram Kabu has complained of Public Works Department. He has said that a Divisional Engineer woke up one morning and found that his pay had suddenly risen from Rs. 600 to Rs. 800 per mensem, but I say that the Divisional Engineer who experienced like this must have dreamt a dream. The total expenditure on the establishment of this Department is Rs. 4,50,000 out of which Rs. 3,32,000 are paid to those whose salaries are Rs. 200 or more per mensem. The expenditure on the salaries of the Revenue portfolio is the heaviest. I have not got the figures of the Revenue Department but I can dare say that the number of the officials getting Rs. 200 or less is very large in this Department and those who draw more than Rs. 200 are very few and the total amount paid to the former must be about four times that paid to the latter. If, as proposed by Pandit Jia Lal Kilam you would appoint a Commission to consider the question of reducing the salaries of those officers who draw Rs. 200 per mensem, it will serve no purpose and we regret to say that we cannot accept such a resolution.

Besides this the members of the House have objected to the salaries of the Ministers. As this is an attack upon myself I do not want to discuss this point. The Government has duly considered this question and has already reduced its establishment. Some members have complaints against the Retrenchment Committee, as has been humorously remarked by Lala Shiv Nath Nanda that theft cannot be committed unless someone puts his hand in our pockets. A Retrenchment Committee was appointed to reduce the salaries and it had for one of its objects the reduction of the pays of the high officers, but due to certain reasons this could not be done. Besides this the Government appointed a Departmental Committee to reduce the salaries, but to carry into effect the recommendations of this committee several difficulties had to be faced and therefore they were not accepted.

As remarked by Mr. Kak, it is right to say that the teachers are low-paid. The pays of the teachers are under consideration and within a few months the decision arrived at in this matter will be announced. The member does not know how difficult is the question of salaries. The Committee prepared its report but when the Government considered it, it found that if the recommendations of the committee would be carried into effect, it would lead to a great disturbance.

Sardar Budh Singh has remarked that a peon receives a meagre pay but has to work very hard. It is as ordained by Almighty and so everybody gets according to his status which God has put him.

SARDAR BUDH SINGH : Do you claim to possess divine powers?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Yes, we do.

THE HON'BLE MR. WAJAHAT HUSSAIN : Please do not talk like that. In this world there are people of every sort. Some get more, some less. We are willing to leave the State. We are lent officers. It has been remarked that in order to silence them the local Ministers are also being paid the same salaries as the lent officers. They are now our colleagues and we are sorry to hear these remarks against them that they are paid these high salaries simply to silence them. We should be proud that they do in fact possess such abilities as entitle them to draw the same salaries as the lent officers do. Now remains the question of the Ministers who have come from outside the State. We did not apply for coming over here. (Cheers)

Yesterday Pandit Ram Chandra Dobey talked of Mysore. No doubt his speech has much material. Yesterday he said that the salaries of the Ministers in Mysore is Rs. 2,000 only. Perhaps he does not know that in Mysore there is a Private Secretary also who belongs to the Indian Civil Service and I believe he gets the same salary as is paid to the Ministers of this State.

PANDIT JIA LAL KILAM : One swallow does note make a winter summer.

THE HON'BLE MR. WAJAHAT HUSSAIN : There is a Prime Minister also who receives more pay and therefore he has not been referred to. Why did he not quote the example of the Hyderabad State? Simply because there also the pays are high.

MIRZA M. A. BEG : What is the total revenue of Hyderabad?

THE HON'BLE MR. WAJAHAT HUSSAIN : Rupees seven crores but there are expenses to be met with.

Long speeches have been delivered here and therefore I also had to say so much, otherwise there was no need of saying all this.

However we intended and even now we have a mind to consider the question of salaries but it is not an easy question to be decided in a few hours or a few days. The report of the Committee is also under consideration.

Just now I have received a statement from the Finance Department which shows that Rs. 56,00,000 are paid annually to those officials of the State who receive Rs. 200 or less per mensem and Rs. 17,00,000 to those who hold high posts like ourselves. I do not want to take much of your time. I want to say only this much that the Government is considering the question of revising pays and that a Commission of official and non-official members cannot be of any help in this matter and therefore we cannot but oppose this resolution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The resolution is lost. 30 have voted for and 40 against it. One member is neutral—Colonel Abdur Rahman is neutral.

Next Resolution.

MOULVI MOHAMMAD ABDULLAH : Our party is of the opinion that this resolution should be withdrawn.

MIRZA M. A. BEG : The party is submitting a separate representation to the Government regarding this matter so the Moulvi Sahib is withdrawing this resolution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Members who are in favour of withdrawing this resolution will please raise their hands.

NOTE —(Hands were raised.)

The resolution is withdrawn with the permission of the House.

Next Resolution of Lala Amar Nath Kohli.

NOTE.—The Assistant Secretary read the following resolution :—

> "This Praja Sabha recommends to the Council that in order to develop the Industries of the State a new Bank may be opened on the lines of the previous scheme for the establishment of the State Bank"

LALA AMAR NATH KOHLI : Sir, in this House many resolutions have been moved and bills introduced for the betterment of agriculturists. But very little thought is given to crafts and industries. A bill to develop industries *i. e.* the Aid to Industries

Bill was introduced on behalf of the Government. I would submit that trade is as important as agriculture. It is therefore essential to bear both in mind. Unfortunately I have to state that the Government is not paying attention towards the development of trade. Even though it is on trade that a country depends. Therefore the Government should pay attention towards the development of trade as well as agriculture. The existence of money is essential in the world, because money alone can provide the means for the betterment of a country. Money which can be accumulated by trade is very scarce in our country. It is always said that the Sahukars of this place have got enough money with them. But I would submit that no Sahukar in the State has got money enough to start a pioneer concern. It is this that has made me feel the necessity for moving this resolution. A new Bank which can help the industries of the State to be successful, should be started on the lines of the scheme that had been drawn up for the opening of a State Bank.

In the Baroda State also, a Bank has been opened which helps the people in matter of trade. In this way State Banks have been opened in Gwaliar and other States for the development of trade.

Two Banks are working in Jammu now. Both these are outside banks and that have about twenty-five lacs between them. The Sahukars of the State have got nothing. People have earned money by State service and after retirement these men have put their money in the bank.

If a State Bank is opened here, and people are convinced that that bank is reliable, I am sure, all of them will deposit their money with it. When this bank will be receiving help from the State and people will also deposit their money with it, the trade of the State will certainly prosper and the people too. The economic depression will be removed to a great extent. Before taking money from a bank, the greater need is for stock. If a bank is opened traders can receive cash against the security of their stock. In this way those people can be able to progress in their work. The traders have got to pay a high rate of interest when they borrow money from other banks. This they cannot bear and therefore under the present circumstances their improvement well-nigh impossible. If a State Bank is opened here and it advances money against the security of their stock, the local trade will improve very much.

We are not economic experts and therefore we cannot make progress of our own accord. The Punjabis are highly advanced in

trade and therefore they have formed great stores by now. The trade there is in a very flourishing condition. Keeping all these facts in view, I would submit, that a State Bank be started at once on the lines on which the scheme for the opening of a State Bank had been drawn up. This is very important for the trade of the State and the opening of a bank will mean many advantages.

PANDIT RAM CHANDRA DOBEY : Sir, I support this resolution. The Government of India has recently set up a Reserve Bank. Its shares have been sold in a way that no one could purchase more than five and thousands of applications were rejected.

I think that if a State Bank is opened here also, many people will be ready to purchase the shares and not a voice will arise against the bank from any quarter.

There will be no objection to the opening of this bank now. There is the question that to some extent success did not attend the scheme which had been formulated previously. In my opinion there were some particular circumstances then and these circumstances, I submit do not obtain now. At that time the bank experts from outside were also called. They recommended the opening of a bank. In my opinion, the question of the opening of a bank should again receive consideration.

SHEIKH MOHAMMAD AMIN : Sir, I submit that the existence of a State Bank is most important. A country which has no bank for its businessmen cannot progress. With the State-subject problem as it is, the people of this place are deprived of bank credit here because no bank can mortgage the property of State-subjects. There cannot, therefore be any development of crafts and industries until a State Bank is opened. Till then our traders cannot prosper. I would again submit that a State Bank is most important. My learned friends have already thrown sufficient light on the other circumstances.

MIAN AHMED YAR : Mr. President! The resolution that has been moved by Mr. Kohli is an important one. On principle the Government too will have no objection to it, because the Government also is feeling now the necessity for the opening of a State Bank. The speeches made by the Hon'ble Members and the mover leave one point untouched, *i. e.* Mr. Wattal had put forward two proposals : one about State Insurance and the other about a State Bank. I would submit that this could also solve the question of the unemployment of the educated classes. It is most important to remove unemployment from among the educated classes,

for the proverb says that an idleman's brain is the devil's workshop. Therefore it is important that those who are educated will also have some livelihood. Moreover outside banks cannot advance loans to local businessmen. My friends have already thrown light on this. I would submit that the opening of a State Bank is most important. Businessmen and others can deposit their property with it and can carry on their business well. With these words I support this resolution.

LALA SHIV NATH NANDA : Sir, I also had given notice of a resolution similar to the one that has been moved by Mr. Kohli now. Unfortunately it was rejected. The objection raised was that there was no such scheme. But now a similar resolution has been moved here. In this connection, I would submit that the most important thing is that Mr. Wattal sanctioned a scheme with the approval of the Government. This scheme had been drawn up by Pochkanwalla. He wanted that a bank, the Kashmir State Bank, be opened here which is most important, as also essential, for all business, crafts and industries. It had been proposed that this bank should have a net capital of at least a lac of rupees and accordingly any sum upto five lacs of rupees was sanctioned and the Government had agreed to give this sum without interest from its treasury and also to pay the staff of the bank for one year. When this scheme was put before the public, it was again welcomed. I also sold within fifteen days shares worth three lacs of rupees and others similarly sold shares. It is being stated on behalf of the Government that when any bill of this kind is brought forward, the Government will consider it. It is our good luck that a resolution to this effect has been moved and the Government will no more feel the necessity of stating that there should be a demand from the public.

Outside banks have been mentioned ; it is a fact that they do not advance a single pie to the local people. The reason is that since they have joined the Reserve Bank they do not care about their failure. They have reduced their rates of interest too and their is no need left for them to ask for money from Sahukars. Therefore we (businessmen) have been wrecked. When the outside Banks found that they could mortgage no more, they stopped advancing loans. Under the definition of State-subjects they cannot mortgage any kind of property and therefore they do not want to waste their money. I therefore submit that it is most important to have a State Bank here. Trade depends upon banks. The definition of State-subjects should not impose any restriction on banks. The shrewd businessmen of this place realize well-enough that there should be no restriction, on trade. In Japan lacs of traders are doing their business well, without any restriction or

imposition and Sir, it is said that Japan leads in trade today. The reason is that traders there have got all kinds of facilities. No restriction has been imposed by the Government on trade or industries and crafts. If any businessmen is in need of money, the Government advances it. Sir, trade is the greatest thing in this world. I would say that a Government can always lead if it has a flourishing trade. Keeping all these facts in view, the existence of such banks is most important in the State. The permission for mortgage of property should also be granted. With these words, I support the resolution of my respected friend.

PANDIT LOK NATH SHARMA : Sir, as far as I remember, I think, that both Lala Amar Nath Kohli and Pandit Ram Chandra Dobey were on the Standing Committee which considered this matter. The Hon'ble Minister-in-charge promised that if during the Sessions of Praja Sabha, any such demand were made, it would surely receive consideration. I would submit that there is no particular need for this resolution. If really there is a demand, the Government will have no objection. I would say that the demand was not to be made in the form of a resolution. A scheme about it should be put before the House so that we can know the number of people who are prepared to purchase shares. If the demand from the public is great, it will be seen whether or not a bank be opened, so that this scheme may not share the same fate as befell the last scheme and money may not have to be returned to people. Nobody can disagree with the fact that a bank is needed in every civilized country. Trade prospers through banks alone. Now we have got to see if like the Aid to Industries Bill and the Agriculturists Relief Act this scheme also does not benefit only the "A" class people. If it be so, I am prepared to oppose it. I would submit that shares should be purchasable by all classes. The scheme should be such that every class is benefited by it without any restrictions. If such a proposal can be made and the Government can be convinced that people are prepared to purchase shares, in that case, I would submit that the scheme should be brought under consideration.

LALA AMAR NATH KOHLI : Mr. President ! The resolution that has been moved by me makes it clear that I have requested the Government about a revival of the scheme that had been submitted to the Government, by Mr. Pochkanwalla. But I would submit that that scheme could not be put into practice. That scheme should be introduced now and a bank opened. My learned friend Mr. Dobey has stated that the opening of a bank will render trade prosperous. Mr. Shiv Nath Nanda, though in agreement with the resolution, has also said that if a bank is required for purposes

of trade, the definition of State-subjects stands in the way of commercial prosperity.

MR. SHIV NATH NANDA : If it had not stood in the way, a bank would have been opened.

MR. A. N. KOHLI : The money of the people of the State is with other banks. The money of this place is in the Punjab and it is benefiting outsiders. This is the policy of the Government. As Mr. Nanda has said that through trade they may rise to be rulers, it is also possible that these people may also rise to Government by trade.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Sir, the speeches that have been delivered so far in the House make it clear that not only has the Government got sympathy with the people for their betterment and welfare, but it is also taking practical steps in this direction. As stated by Mr. Nanda we alone know after how much effort we induced the people to buy shares. But afterwards circumstances took such a turn that the running of the bank became difficult. The Government is itself feeling this and it wants that a bank be opened. But I should first be convinced that it will be a success and should also, after enquiry through members, be informed how much money can be collected. There is no need of moving this resolution. If you can convince me that money will be forthcoming, I will myself move this question in the House. As yet there is no necessity.

PANDIT RAM CHANDRA DOBEY : It will be known when the work is taken in hand.

THE HON'BLE RAO BAHADUR THAKUR JANAK SINGH JI : We should first be convinced of this thing.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Do you lay down the condition that a bank will be opened only if a definite sum of money is forthcoming.

LALA AMAR NATH KOHLI : I withdraw my resolution as the Government has given a satisfactory reply.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The resolution is withdrawn with the permission of the House.

RESOLUTION NO. 4.

Mover ... Choudhari Abdullah Khan.

CHOUDHARI ABDULLAH KHAN : The Praja Sabha recommends to the Council that primary education be made

compulsory in the State or at least in those places where primary schools exist.'2

Sir, it is an acknowledged fact that in the cities of Jammu and Srinagar, and a few other important towns primary education is compulsory. In declaring primary education compulsory in these places, the only object of the Government was to increase the number of students; to make people feel compelled to get their boys educated and thus to prevent the ignorance of the public and to enable people to distinguish between good or bad.

So far as facts go, it can be stated with confidence that compulsory education was started in cities before it was started in villages. The percentage of educated people in the cities is greater than the corresponding percentage in villages, because, as compared to the Mufassil, many collective facilities are available and movements present in the cities. Therefore, in keeping this in mind, it was essential that the Government should pay attention to villages in preference to cities so far as compulsory education is concerned. But this was not done. Ignorance holds sway in the villages. Due to the absence of literate persons among them, the villagers have to bear various losses and troubles. They fail to pay any attention to their health. Religiously and culturally their condition is unspeakably deplorable. Because of the absence of civilization and culture, they are beyond the pale of humanity. Under these circumstances it is important that in matters educational, the Government should first of all make arrangements for the rural population. Moreover the agricultural methods that are being introduced these days and the changes that are taking place in agriculture demand that the rural people should receive education; without it, being ignorant of the important principles of agriculture, they cannot derive full benefit from their lands. The welfare of the zamindar and his educational development form two important duties of the Government. Education is the only means of removing their down-trodden and helpless condition and this can be done by the Government by making education compulsory in villages as it is in cities. In this way the cultural, social, intellectual and religious condition of the zamindar will certainly improve and it will be a matter of pride for the Government.

MIAN QURBAN AHMED : Sir, the resolution moved by Choudhari Abdullah Khan in this House is a sound one. Imparting of education compulsorily to zamindars will be useful both to the Government and the zamindars, because if the zamindars acquire education, they can cultivate their lands on improved scientific methods and can further understand everything. I therefore support this resolution.

MOULVI MOHAMMAD ABDULLAH : Sir, the Government is trying to improve the condition of the zamindars. But before cultivation it is necessary to make the soil fit for it. Education is instruction for the heart and head and this is the secret of real progress. Before seed is sown, it is necessary to prepare the soil first. If the land is not prepared and the seed is sown, it is sure to be wasted and nothing will be gained. So also with education. The aim of education is not merely to secure service, but it is to prepare the public so that they can be fit enough for reforms and to create in them those feelings which can make them think of their betterment. If the public opinion is not regulated in this way, the object of education can never be fulfilled.

If at all reform is required at this time, it is for the rural population which alone constitutes the root of all urban population. Cities and towns are the leaves of this root. If the root is not set right, all the leaves will fall down that is there will be a possibility of the cities also being put to a great loss. As I have stated the foundation of the general public is the rural population and so long as education is not imparted forcibly and declared compulsory, in those areas, the mentality of the public cannot be set right. Reforms will be impossible and all the defects that are to be found in the villages today can never be removed. Educational backwardness in rural areas is the root cause of all complaints that are being made now about bribery, about people not taking any advantage of the zamindars Bank and about the villagers paying compound interest. If those people are made fit enough to think for themselves what is and what is not good, nothing undesirable will even happen. I do not always want to be in opposition. The Government is no doubt doing much in the cause of education but there is need for still more. Some members are hinting me that I should not say that the Government is doing reform work. But I would like to ask them if it is wrong to explain a matter of fact ! (Cheers from Government Benches)

I would submit that I have said only this much that the Government intends such a reform. I have not said that the Government is paying no attention or thought to this nor have I said that it is being fully done. The Government has expressed its intention. The result is not known as yet.

We should not abandon hope. If we raise our voice persistently, the Government will surely have to agree to what we say. But we should submit all facts to the Government respectfully. I would like to submit that as long as the ground is not cleared and education is not imparted to the rural population,

progress is not possible, though banks may be opened, rural uplift work may be taken in hand, committees may be set up to stop bribery and many other things may be done.

The proposal made by the mover in his resolution does not put much burden on the Government. He has asked for primary education to be declared compulsory in places where there are primary schools.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What should be the area?

MOULVI MOHAMMAD ABDULLAH : I submit that primary education should be declared compulsory in all places where there are primary schools. If there is a primary school in a village, it would be good to do so within the circuit of a mile or two. But it is for the Government to decide what the area should be.

Once, while I was expressing my views regarding the condition of Kashmir, the Hon'ble Revenue Minister very frankly stated that in climate and products conditions in Kashmir resemble those in Japan. Talking of Japan I said that earthquakes create a havoc there and there remains no ground for those people to live upon. As compared with that through God's grace we are much better here. But in spite of this, the facilities extended under that Government to people cannot be compared to those in Kashmir. There are many schools in Japans, in crafts and industries and in trade, Japanese have made tremendous advancement, while we are still far backward. If our country is like Japan, we should follow Japan in everything. We are compared to Japan. I would submit that their good examples too should be followed. We should not merely imitate Japanese fashions. We must adopt their good points too. Briefly I would submit that as long as education is not imparted to the rural population, the evil of bribery cannot be cured, nor can it be stopped. People will derive advantage from reforms only when they receive education.

I therefore support this resolution, otherwise,

خشت اول چوں نہد معمار کج تا ثریا مے رود دیوار کج

If the foundation stone is not well laid, the entire wall on it will go cracked upto infinity.

SHEIKH ABDUL HAMID : Mr. President! The perusal of the language of this resolution clearly shows that it does not express

any meaning at all. The resolution runs :—

"that primary education be made compulsory in the State or at least in those places where primary schools exist".

While moving the resolution, Choudhari Abdullah Khan has in his speech made alternative suggestions. This contravenes the provisions of Rule 70 inasmuch as the proposer has himself amended his own resolution and even that amendment is not without a flaw, for the words "wherever primary schools exist" themselves call for an explanation whether they mean that primary education should be made compulsory in those villages where primary schools already exist or that it should be made compulsory in those areas from where the boys come to study in such schools. I have not been able either to understand the purport of this resolution or to follow the seconder as to what the word "where" denotes. As the proposal is itself defective, the resolution does not deserve support in any aspect. But, however, the other points to which I wish to call your attention are that even in cities and towns where primary schools exist all the boys do not go to school and when such is the state of things, it would be inexpedient to place all at once a strain on the energy of young boys. I submit that the zamindars have need of education but not so much as that of agriculture and management of domestic affairs. If education is thus made compulsory, it would render them wholly unfit for managing their domestic affairs. My friend has not, before moving this resolution, paid attention to these facts. Hence I submit that the Education Department which formerly spent Rs. 6,00,00 on education and is now, as I understand, spending Rs, 19 or 20 lakhs of rupees cannot stand this strain as the financial position of the State is not sound. Moreover it is also inadvisable to make so excessive demands on the energy of young children in rural areas. I am of opinion, therefore, that the mover had better withdraw his resolution. So great is the strain of this that no press representative is present here to report the speeches on it. (Laughter)

Mian Ahmed Yar : All the speakers that have addressed the House on this resolution, it appears, support the resolution except Sheikh Abdul Hamid who contends that it would mean a strain on the zamindar. I submit that a patient who does not take the medicine of his own free will has to be compelled to take it. Under certain circumstances a medicine has to be administered in an unconscious state through injections with the result that the patient recovers. I submit that all countries anxious to maintain peace and order educate their children. It is an admitted fact that education makes men peaceful citizens who are ever prepared to

help the Government in times of difficulty. It is education that makes the individual a civilized and peaceful citizen. With these words I support this resolution.

CHOUDHARI ABDULLAH KHAN : My submission is that the Government should not regard my request to be an unpleasant one. When education is made compulsory everywhere, the people will surely become peaceful and thus can abstain from committing offences. My submission is that it will be beneficial both for the Government and the people.

THE HON'BLE MR. WAJAHAT HUSSAIN : Sir, the speeches made in connection with this resolution have caused some misunderstanding. From the speeches of today, it appears that the Government is doing nothing for spreading of education in the State.

The Praja Sabha Sad Sahibs must understand the purport of the resolution. What is the Government doing at present? For the last three years, the Government has been opening new schools every year and efforts are being made for starting new schools. What are the reasons for not introducing compulsory education everywhere in the State? Perhaps none will ask the reasons for this. No Government or atleast no Government in India is so well financed so as to be able to introduce compulsory education in every nook and corner of the country. We are trying to start new schools as the funds permit. This year also some schools are going to be started and the proposal has been put up before the Standing Committee. After this, when the orders were to be issued, I was informed that we had some more funds at our disposal. This year only one Upper Middle School for Girls is going to be started and if there are funds at our disposal, we can make arrangements for opening another Upper Middle School. The Government could not be against it and it was of opinion that if the funds permitted, another may be started. Thus, with some money at our disposal, it enabled us to open an Upper Middle School at Srinagar side by side with one at Jammu. The Government do not say that they would not promote education. Formerly, schools were not opened every year. But for the last three years, schemes are prepared and at least 30 schools for boys and 10 or 15 schools for girls are opened every year.

In the budget of 1932-1933, 60 schools were to be started, but it could not be done, due to financial stringency but everything can be gradually done. The compulsory education cannot be imparted by the force of law. The students will themselves

come to the schools. I agree with you that education should be imparted. The Government is providing education and is desirous of spreading education more and more. It was also pointed out in the speeches that primary education should be extended but we are prepared to provide even secondary education. We are regularly setting up upper middle schools and are desirous of promoting education. Now the question is, whether we can, by introducing compulsory education, open schools in every village in one year and at one and the same time. I hope you will agree with me in this respect that this is impracticable. It has also been stated that education should be made compulsory in all the primary schools. What the Praja Sabha Sad Sahibs mean to say is that compulsory education should be introduced in every village. There will be many such families in the neighbouring villages who do not want to send their children to schools and that they would be punished. You will let us know as to what can be done under such circumstances.

Secondly funds are required for introducing compulsory education in every school. I have got figures before me and you also know that very large sum of money is required for the purpose. Six or seven years ago, compulsory education was introduced experimentally. That is at present there are 64 compulsory primary schools at Jammu, Udhampur, Mirpur, Kashmir, Sopore and Baramulla and the Government is spending one lakh of rupees on these schools.

If we introduce compulsory education in every village, you can think for yourself that lakhs of rupees are required for this purpose. If our salaries are reduced to one pice, even then there cannot be sufficient money for compulsory education. In no case can adequate sums of money be made available for compulsory education. No doubt, I agree with you so far as the extension of education is concerned, but I hope, you will also agree with me that it is not possible to introduce compulsory education in every village. The Government is giving due consideration to education. The second difficulty is about the curriculum. Some have started that it is absurd but I would say that it is not only absurd but even more than that. Efforts are being made for extending education. If there is more money, there will be more education. But it cannot be practicable in the form in which the resolution has been put forth. In the end, I would submit that you should not press for taking votes on this resolution.

CHOUDHARI ABDULLAH KHAN : I withdraw the resolution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The resolution is withdrawn with permission of the Praja Sabha.

The Praja Sabha then adjourned till Monday, the 30th of March 1936.

JAMMU AND KASHMIR PRAJA SABHA.

Monday, the $\frac{30th\ March\ 1936.}{18th\ Chet\ 1992.}$

The Praja Sabha met in the Praja Sabha Chambers in the Pink Hall (Darbargarh) Jammu, at Eleven of the Clock. Mr. President (The Hon'ble Sir Barjor Dalal Kt.) in the Chair.

The Praja Sabha Secretary presented Lala Haveli Ram, General Secretary to the Government, before the Hon'ble President and he took the prescribed oath of allegiance.

QUESTIONS AND ANSWERS.

505. SARDAR BUDH SINGH (Mirpur-Poonch :Sikh) : (*a*) Are Government aware that in certain Illaqas such as Deva Batala in Tehsil Bhimber the rearing of cocoons is not possible and still the use and cutting of mulberry trees is prohibited?

(*b*) If the answer be in the affirmative, why has the restriction been set up when the leaves of these mulberry trees are not required for the rearing of silk-worms inasmuch as the climate of the place is not favourable for it?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No. Attention of the Praja Sabha Sad is invited to the answer given to Q. D. No. 818 on 8th April 1935, serial No. 347 page 280 of the Jammu and Kashmir Assembly Debates Vol. 3.

(*b*) Does not arise.

NOTE.—After the Hon'ble Revenue Minister read out the reply to this question, he also repeated the reply which was given to Q. D. No. 818 on the 8th of April, 1935 (Jammu Session).

SARDAR BUDH SINGH : My question was why this law is in force in Illaqas in which cocoons are not reared at all.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The reply to your question has been given. This question was worded as follows :—

> "Are Government aware that in certain Illaqas such as Deva Batala in Tehsil Bhimber the rearing of cocoons is not possible....."?

SARDAR BUDH SINGH : It would be taken to mean whether there is no possibility?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The meaning of it is that there is a possibility.

506. SARDAR BUDH SINGH : (*a*) Is it a fact that the Customs Posts in Illaqa Poonch set up on the snowy frontiers of the State are closed down during winter and the people dwelling in villages adjacent to these posts are,when importing cereals etc. compelled to go to far-off posts for the payment of customs duty, for example, the people from villages in the vicinity of Sudhan Gali Customs Post have to accomplish a long journey of 45 miles through Kohala instead of 8 to 10 miles to pay a paltry amount of customs duty?

(*b*) If the answer be in the affirmative, will Government soon provide for immunity from loss and trouble on this account?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Customs Posts on the snowy frontier are closed during winter when the passes are blocked on account of snow. During the period that these passes remain closed it is impossible for the people to cross them with goods and they have therefore naturally to resort to easier routes. Sudhan Gali Post remains open throughout the year.

(*b*) Does not arise.

SARDAR BUDH SINGH : I submit that there is a great necessity for keeping the Customs Posts, situate on the snowy frontiers, open in the winter season. Is it important to put a stop to the trouble and inconvenience that the poor villagers have to face by having to travel long distances for the payment of customs duty. Sometimes it becomes impossible for the people, because of this inconvenience, to get even grains etc. as the customs posts where the duty has to be paid, is at a great distance.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This is the information he gives. You ought to accept the information.

You have been informed that it is not a fact that people have got to travel a distance of 45 miles. The customs post at Sudhan Gali is open throughout the year.

507. SARDAR BUDH SINGH : (*a*) Is it a fact that waste areas owned by the zamindars are assessed to land-revenue on their reclamation?

(*b*) If the answer be in the affirmative, is the assessment of such reclaimed areas till the expiry of the term of Settlement not opposed to the practice and principles of Settlement?

(*c*) Will Government in such a case reduce the rate of land-revenue assessed on soil of superior quality, such as Hail, Chahi, etc. which is subject to variation in the event of a change in their capacity?

(*d*) If the rate be not reduced on the ground that these areas have been permanently assessed and no alteration is possible till the expiry of the term of Settlement, will Government state why reclaimed areas have been assessed in the course of the term of the Settlement?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No, not till the expiry of the term of the Settlement.

(*b*) to (*d*) Do not arise.

508. MOULVI MOHAMMAD ABDULLAH (Shah Hamdan, Srinagar City :Muslim) : (*a*) Is it a fact that the non-proprietors in a village (*Gher Khewatdar-i-Deh*) have no rights in *Shamilat-i-Deh*, nor have the zamindars been given any *Shamilat* rights in Dal Lake?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that Diwan Onkar Nath Madan, Police Officer has been granted *Assami* rights in *Shamilat* area, inspite of the fact that he is not a resident of the village?

NOTE.—This question was not replied to as the Hon'ble Home Minister (Leader of the House) pointed out to the Hon'ble President that Moulvi Mohammad Abdullah was not present.

Mian Ahmed Yar rose, but the Hon'ble President observed that he was too late. The question lapsed.

509. MOULVI MOHAMMAD ABDULLAH : Will Government please state at what rate the agricultural land has been assessed to land-revenue in the Kashmir valley *i. e.* whether the land-revenue is 25 or 30 per cent. of the gross produce, and now that *Assamis* have been granted proprietary rights, what proportion of the gross income is the land-revenue?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : 1*st part*.—Theoretically 30 per cent. of the gross produce has been taken as the State share, but actually the assessments have been fixed at varying rates lower than this.

2nd part.—Now that *Assamis* have been granted proprietary rights, the proportion of land-revenue to gross income remains the same, as no surcharge was levied in Kashmir valley over and above the land-revenue proper on account of *Malikana*.

NOTE.—Mian Ahmed Yar represented Moulvi Mohammad Abdullah.

MIAN AHMED YAR : In the Punjab and other provinces one-eighth of the net produce is taken. Why is the same practice not followed here too?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This is a new question.

510. MOULVI MOHAMMAD ABDULLAH : (*a*) Are Government aware that Shopian is a historical town and a central place in the Illaqa?

(*b*) If the answer to (*a*) be in the affirmative, will Government please state since how long the Middle School of Shopian has been established?

(*c*) If the answer to (*b*) be that the Middle School of Shopian has been established since a long time, what are the reasons for not raising it to the standard of a High School?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) Yes.

(*b*) The Middle School of Shopian was established prior to 1965.

(*c*) No new high schools are opened at present owing to financial stringency.

511. MOULVI MOHAMMAD ABDULLAH : (*a*) Is it a fact that there was some dispute going on between Lala Sunder Das contractor and the Forest Department, and that it was decreed in favour of Lala Sunder Dass for more than rupees fifteen thousand?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that withholding the expenses and the interest, the sum decreed was paid to the contractor on the 7th July 1933 and that his name was removed from the list?

(*c*) If the answer to (*b*) be in the affirmative, what are the reasons for withholding the expenses and the interest and for removing the name of the contractor from the list?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes. The Arbitrators gave an award of Rs. 15,000 in favour of Lala Sunder Dass, Forest contractor, Verinag Thinnings in 1985.

(*b*) A sum of Rs. 15,000 due to the contractor was paid in full. His name was removed from the list of contractors as he was black-listed *vide* Government order No. G. B. 56-C, dated 7th April 1933 and debarred from taking any contracts from any department of the State.

(*c*) In view of reply given to (*b*) above the question does not arise.

512. MIAN AHMED YAR (Muzaffarabad :Muslim) : (*a*) Will the Hon'ble Finance Minister be pleased to state in how many cases the officers superior to the one assessing income-tax have interfered and modified the assessment without any appeal or application for revision being made?

(*b*) If the answer to (*a*) be in the negative, it may please be stated how many and from where complaints have been received regarding the defects in the assessment and what action has been taken on them?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : (*a*) There is no provision in the Income Tax Regulation authorising officers superior to the Assessing Officer to interfere with or modify the assessment made by such officer, except on appeal. A second appeal is also provided.

(*b*) A few complaints of a general nature alleging over assessment or protesting against the imposition of income-tax by Government were received from some people in both the provinces but they were not such as to call for any action.

MIAN AHMED YAR : Has the Minister-in-charge Income Tax got all powers of management, as also confiscation?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Yes.

MIAN AHMED YAR : If it is so, why is the work of those officers not supervised?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : No question of supervision arises here. However, if any particular

matter is brought to our notice, it will receive consideration.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The Minister-in-charge has general power of interference and if any body applies, he will certainly consider the request.

513. MIAN AHMED YAR : (*a*) Will Government please state the number of Audit Fund and Government paid Inspectors, Sub-Inspectors and Clerks in the Co-operative Department?

(*b*) How many of them are Muslims and how many non-Muslims?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The number of Government paid and Audit Fund paid Inspectors, Sub-Inspectors and Clerks employed in the Co-operative Department by order of communities is as below :—

Government Paid.

		Muslims.	Hindus.	Sikhs.
Inspectors	...	9	8	3
Sub-Inspectors	...	18	7	1
Clerks	...	18	24	.....

Audit Fund Paid.

Sub-Inspectors	...	28	31	3
Clerks	...	4	4	.....

514. MAJOR MIRZA ATTA MOHAMMAD (Reasi :Muslim) : It was stated in the Srinagar Session of the Praja Sabha that orders have been issued for refunding to zamindars the land-revenue realised for *Nautor* areas for a period exceeding 5 years. Will the Hon'ble Revenue Minister be pleased to state why the refund has not been made so far?

(*b*) Does the Hon'ble Revenue Minister know that in order to save themselves the zamindars paid this revenue by incurring loans at 50 per cent. interest?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Unless the member Praja Sabha brings to notice specific cases of non-com-

pliance with the orders referred to by him in the prelude of the question, no action can be taken. If, however, he cites concrete instances, the matter can be enquired into.

(*b*) No.

515. MAJOR MIRZA ATTA MOHAMMAD : (*a*) The Chowkidars are granted liveries after every three years, but the zamindars are charged Rs. 12 every year for the livery, over and above the amount charged for the pay of the Chowkidars, that is to say the zamindars pay Rs. 36 as price for the livery of a Chowkidar?

Will Government please stop this improper and excessive recovery and order that only the requisite amount may be recovered?

(*b*) Can Government convince that the livery of a Chowkidar costs Rs. 36?

(*c*) If the answer be in the negative, will Government please adopt some measure to stop this improper recovery in future?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Liveries are given to the Chowkidars annually and Rs. 12 only are recovered for one livery which is reasonable.

(*b*) and (*c*) Do not arise.

516. MAJOR MIRZA ATTA MOHAMMAD : (*a*) Are Government aware that the circles of Chowkidars in Tehsil Rajouri of District Reasi are unequal and that therefore the amount payable by each zamindar as contribution towards the pay of the Chowkidar, over and above the amount of land-revenue, varies?

(*b*) Under these circumstances is it not necessary that the circles of Chowkidars should be equalised?

(*c*) Will the Hon'ble Revenue Minister be pleased to hold enquiries as stated in reply to Q. D. No. 401 of the last Srinagar Session?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) The Illaqa being hilly and mountainous this is not practicable.

(*c*) Reply to Q. D. No. 401 of the last session was that

enquiry would be got done if the member Praja Sabha pointed out a definite instance. No particular circle has even now been pointed out.

517. MAJOR MIRZA ATTA MOHAMMAD : The Middle School Rajouri was formerly a Vernacular school and has now become an Anglo-vernacular school, but English is still an optional subject and not a compulsory one. Will the Hon'ble Home Minister please remove this defect?

THE HON'BLE MR. WAJAHAT HUSSAIN : Rajouri is still a Vernacular Middle School and consequently the subject of English cannot be made compulsory.

MAJOR MIRZA ATTA MOHAMMAD : When may we hope this will be?

THE HON'BLE MR. WAJAHAT HUSSAIN : It is only a Vernacular Middle School yet. English education is imparted. An English teacher has also been provided. But education through the medium of English cannot be declared compulsory.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : English is not compulsory here. How can it then be made compulsory there?

518. LALA SHIV NATH NANDA (Srinagar City :Hindu other than Kashmiri Pandits) : Is it a fact that Khatri inhabitants of District Reasi own lacs of kanals of land ; that there are Lambardars and Wanddars from amongst them ; that they pay thousand of rupees as land-revenue to the Government and that the means of their livelihood is chiefly agriculture?

Is it also a fact that in the month of Sawan the Wazir-i-Wazarat and before that Raja Mohammad Afzal Khan, Governor recommended that the Khatris of this Illaqa may be declared agriculturists?

If the answer to the above be in the affirmative, will Hon'ble Revenue Minister please state why despite so many recommendations they are not included amongst the agriculturists?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part.*-- The member Praja Sabha is referred to reply to his Q. D. No. 480, which applies equally well in the case of the Khatris of the Reasi District also.

2nd part.—As regards part 2nd of the question, the reply is in the negative.

3rd part.—Does not arise.

NOTE.—The reply to Q. D. No 480 given previously was also read out by the Hon'ble Revenue Minister, as the member putting this question pointed out that he had not got the reply at his table.

LALA SHIV NATH NANDA : The Khatris referred to in my question are the Kohli Khatris of District Reasi. I submit that in case it is proved that those people are really agriculturists, will necessary steps be taken and will they be declared as agriculturists?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Such people should submit applications. The application will be duly considered. Decision with respect to this cannot be arrived at here in the Praja Sabha.

LALA SHIV NATH NANDA : Sir, I have already submitted that I would like to know what consideration will be given?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The application of any person will be considered at any time.

519. LALA SHIV NATH NANDA : Is it a fact that the Mahajans of District Reasi own 89,861 kanals and 6 marlas of agricultural land within the same district and pay an amount of Rs. 10,592 as Fasli land-revenue to the Government ; that there are five Lambardars and thirty-two Wand-dars from amongst them, and that their means of livelihood is chiefly agriculture?

Is it also a fact that, as stated by the Hon'ble Revenue Minister in reply to one of the questions asked in the Srinagar Praja Sabha Session, Khoja Mohammedans who are money-lenders by occupation are declared as agriculturists?

If the answer be in the affirmative, will Government please state as to whether the fact that a class which owns thousands of kanals of lands, has not been declared agriculturists, does not go to show that injustice has been done to them? Will they under such circumstances be declared agriculturists?

If the answer be in the negative, what are the reasons therefor?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : As regards the reference to Khojas, the reply is in the nagative. Re-

garding the rest of the question the member Praja Sabha is referred to reply to his Q. D. No. 480, which applies equally well in this case also.

LALA SHIV NATH NANDA : Sir, I would like to submit that in his reply the Hon'ble Revenue Minister stated that the reply is in the nagative so far as the Khojas are concerned. The word 'negative' creates a doubt here, because it gives one to understand that they cannot be declared agriculturists.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : There is always a difference between English and Urdu. The 'No.' of English becomes 'Yes' in Urdu. (Laughter)

520. LALA SHIV NATH NANDA : Is it a fact that a hospital was proposed to be constructed at Thanna a big market in Tehsil Rajouri?

If the answer be in the affirmative, will the Hon'ble Home Minister please state what are the reasons for not giving the proposal a practical shape.

THE HON'BLE MR. WAJAHAT HUSSAIN : No.

The second part does not arise.

LALA SHIV NATH NANDA : About this.....(the Praja Sabha Sad resumed his seat after having spoken only these two words).

SHEIKH ABDUL HAMID (State Councillor) : He has been moved by pity. (Laughter)

521. LALA SHIV NATH NANDA : Is it a fact that in the last session the attention of the Hon'ble Home Minister was drawn to the fact regarding the office of the Water Works Department which receives payment of water tax that arrangement may be made for receiving payment within the city, and the Hon'ble Home Minister stated that before long some arrangement would be made.

If the answer to the above be in the affirmative, will the Hon'ble Home Minister in order to relieve the Jammu public from this inconvenience, issue orders to the effect that arrangement for receiving the payment of fee may be made within the city?

THE HON'BLE MR. WAJAHAT HUSSAIN : The member is referred to the answer I gave last session to Q. D. No. 284 asked

by Sheikh Mohammad Amin.

NOTE.—The reply given previously to question No. 284 of Sheikh Mohammed Amin was read out by the Hon'ble Home Minister.

LALA SHIV NATH NANDA : Sir, this is an ordinary thing. Water-tax can be realised through the treasury too.

THE HON'BLE MR. WAJAHAT HUSSAIN : Your question was a different one. That has been replied to.

LALA SHIV NATH NANDA : Sir, the public can pay this even in the Electric office where they pay their electric fees. They can thus save themselves the trouble of going up or down the Dhaki. The tax can also be realised through the treasury. In my opinion this should necessarily receive consideration.

THE HON'BLE MR. WAJAHAT HUSSAIN : This is a new question. It will be considered.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : (Addressing the Hon'ble Home Minister). There seems to be some sort of difficulty about payment of water-tax, it may be considered.

422. WAZIR GANGA RAM (Reasi :Hindu) : (*a*) Are Government aware that for the large population of Illaqa Budhal there is no Middle School and the poor inhabitants of this Illaqa can ill-afford to send their sons away for further studies?

(*b*) Will Government in view of the backwardness of the Illaqa, open a Middle School there?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) The question will be considered next year.

523. WAZIR GANGA RAM : (*a*) Do Government know that in the Illaqa lying between Basohli and Ramnagar the condition of the roads is utterly unsatisfactory and the people face great inconvenience in the export of their produce and the import of their requirements?

(*b*) Do Government intend to construct a lorry road from Udhampur-Ramnagar to Basolhi in the interests of general convenience?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) An amount of Rs. 4,875 has been provided in the current year's budget for repairs to roads in Basohli and Ramnagar Tehsils.

(*b*) Road from Udhampur to Ramnagar is under construction.

524. WAZIR GANGA RAM : (*a*) Do Government know that in Panthal town, Tehsil Reasi and its suburbs there is great scarcity of water and that in order to remove this inconvenience a local inhabitant Baldeo Shah has constructed a Kuhl in that Illaqa at his own expenses which has now fallen into disrepair inasmuch as the said Sahukar can ill-afford to get it repaired?

(*b*) Will Government provide for the annual repair of the said Kuhl?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No.

(*b*) The Governor has asked the Wazir Reasi to report about the matter and prepare the requisite estimates for repairs. On receipt of the estimates necessary action for the provision of the required amount will be taken.

525. WAZIR GANGA RAM : Will the Hon'ble Revenue Minister please state whether the inhabitants of the Panthal town submitted a petition to him urging for the introduction of piped water supply in that town?

(*b*) If the answer be in the affirmative, will Government please state what action has been taken on it?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No.

(*b*) Does not arise.

526. SHEIKH MOHAMMAD AMIN (Jammu City :Muslim) : Is it a fact that in Parol town the Nullah Wajooh is washing away the graveyard, mosque, school and residential houses and that the Governor has inspected the spot?

If the answer be in the affirmative, are Government, in order to stop this destruction, prepared to spend Rs. 200 on diverting the direction of the said Nullah?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : 1*st part*.--Yes.

2nd part.—The opinion of the P. W. D. has been invited by the Governor of Jammu on receipt of which funds will be made available.

527. SHEIKH MOHAMMAD AMIN : Is it a fact that in the State inspection by the Inspector of the Division takes place hardly once a year and that some schools are not visited by the Inspectors even once a year?

If the answer be in the affirmative, will the Hon'ble Home Minister be pleased to state what is the method of the regular inspection in the State and how many times the Inspectors inspected each school during the last year?

THE HON'BLE MR. WAJAHAT HUSSAIN : The Inspectors of Schools visit each High and Middle School at least once a year. Last year the Inspector of Schools, Jammu, could not visit two high and a few middle schools for want of funds, but the Inspector of Schools Kashmir visited each High and Middle School last year. The Assistant Inspectors of Schools also visit each Middle and Primary School at least once a year.

(*b*) The questions do not arise.

528. SHEIKH MOHAMMAD AMIN : Is it a fact that ninth class has been added to the Middle School Ranbirsinghpura. Is this also a fact that next year instead of raising this school to the standard of a High School, the students of this class will be sent to other schools?

If the answer be in the affirmative, will the Hon'ble Home Minister, in order to make up this deficiency and remove the trouble of the people, please raise the said school to the standard of a High School by opening the tenth class also?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes, I have insufficient knowledge of schools in India.

No new High School is being opened in the State at present.

529. SHEIKH MOHAMMAD AMIN : Are Government aware that Khalsa lands outside the demarcation line are being granted to Jagirdars and that trees standing on such lands are being cut?

If the answer be in the affirmative, will Government please state whether the concession granted to the zamindars of the villages

in respect of the trees standing on the areas outside the demarcation line are being interfered with and whether the Government are prepared to make good this loss to zamindars? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) 1*st part*.—Yes, so far as *Berun* line forests in Jagir areas are concerned, here also the grants are subject to the supervision and orders of the Revenue Department.

(*a*) and (*b*) *2nd part*.—A Committee has been set up under commands of His Highness the Maharaja Bahadur to lay down the broad principles for governing the exploitation of such forests by the assignees of land-revenue. One of the terms of reference to the Committee is that they should provide safe-guards for the vested interests of zamindars, which will remove the apprehension of the member Praja Sabha. The vested interests of zamindars continue to remain in tact even after the grant of rights over *Berun* line forests assignees of land-revenue. What the assignees have been given are the rights which were previously exercised by the State and no more.

MIAN AHMED YAR : Will the zamindars have any rights over areas which may be brought under *Nautor* from outside the demarcated line of such forests?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This is a new question. On the recommendation of the Jagir Committee more than three thousand Jagirdars have been granted rights which previously vested in His Highness. So far as their rights are concerned, orders for their entry have been given and the entry will be declared. "خالصہ زیر اهتمام علاقہ دار تابع مہ مال اکاد یکہ,

This means that the zamindars cannot do anything of their accord unless they have secured the permission of the officials of the Revenue Department.

530. HAJI AHMEDULLAH SHAHDAD (Tashawan-Srinagar City :Muslim) : (*a*) Are Government aware of the fact about which a great clamour is being made in newspapers, namely that the officials of the Food Control Department return to the zamindars of Illaqa Badgam in particular and to those of the other Illaqas in general, the *Mujawaza* Shali under the pretence of its being unclean, at the Ghats of Karsu, Padshahi Bagh, Ghulab Bagh, Naseem Bagh, etc?

(*b*) If the above mentioned fact be true, the names of the responsible officers appointed to inspect the Shali may please be stated?

(*c*) If no such officer has been appointed, who is responsible for the loss and inconvenience that the poor zamindars thus suffer?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The member Praja Sabha is referred to the replies given to questions No. 704 of the Jammu Session 1935 and No. 80 of this Session.

There is no delivery Ghat at Ghulab Bagh.

(*b*) and (*c*) Do not arise.

531. HAJI AHMEDULLAH SHAHDAD : (*a*) Are Government aware that due to the fact that there are no Zenana Hospitals in villages, zamindar women die in large number on account of sexual diseases for want of treatment?

(*b*) If the answer be in the affirmative, will Government open branches of Zenana Hospitals at suitable places? If so, when? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) No.

(*b*) Does not arise.

532. HAJI AHMEDULLAH SHAHDAD : (*a*) Are Government aware that in order to pay electric charges, people have to travel long distances and spend several days and suffer penalties because of the fact that there is only one office in the city of Srinagar to receive such payment?

(*b*) If the answer be in the affirmative, will Government set up offices at different parts of Srinagar to receive payment of electric charges by appointing the present officials in the said offices, as has been done in Panpur, whereby the present expenditure on the establishment will not be exceeded?

THE HON'BLE MR. WAJAHAT HUSSAIN : The member is referred to the reply to his question No. 712 asked in the Session of the Praja Sabha held last year at Jammu.

533. HAJI AHMEDULLAH SHAHDAD : (*a*) Is it not a fact that there being no telephone line in Illaqa Badgam the officers have to come to Srinagar for ordinary matters whereby the Government have to undergo expenditure?

(*b*) If so, are Government prepared to take immediate steps in this matter? If so, when will they do so? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) The officers will have to come to Srinagar even if telephone is installed at Badgam.

(*b*) I regret the answer is in the negative. There are other more important works requiring our attention.

534. COLONEL ABDUR REHMAN (Udhampur :Muslim) : (*a*) Will Government please state in which of the tehsils of District Udhampur, *Kharaba* was reported and what amount of land-revenue in consequence thereof was remitted in each of the tehsil temporarily or permanently?

(*b*) If the *Kharaba* was not reported, what are the reasons therefor?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The question is indefinite and vauge as the period for which the necessary information is required has not been specified in it, in the absence of which; information cannot be made available.

COLONEL ABDUR REHMAN : Sir, I submit that information from 1970 to 1990 may be given.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Years have not been specified here. The question is "will Government please state in which of the tehsils of District Udhampur, *Kharaba* was reported and what amount of land-revenue in consequence thereof was remitted in each of the tehsil temporarily or permanently.

(*b*) If the *Kharaba* was not reported, what are the reasons therefor".

SARDAR BUDH SINGH : The words 1970 to 1990 are given in Urdu.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Colonel Sahib, these dates were not given in English translation.

The desired information will be supplied. The question is about *Kharaba*, but *Kharaba* is not reported tehsilwise. It is done by villages. If you want information about any particular village it will be supplied. If you want information about the last twenty-two years, it will not be of much use.

SARDAR BUDH SINGH : You ought to have repeated the reply given last year.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : If you want information even though it may not be of use to you, we will supply it.

535. COLONEL ABDUR REHMAN : Will Government please state whether *Abiana* is charged even if a zamindar on his own expenses irrigates his own lands by means of a well or a small canal?

If the answer be in the affirmative, the reasons for the same may be stated in detail?

THE HON'BLE MR. WAJAHAT HUSSAIN : No.

536. COLONEL ABDUR REHMAN : Did the Hon'ble Home Minister give assurance that a bridge over Jaganun Tawi will soon be constructed? But as yet no steps have been taken in this behalf.

Is any scheme of constructing it, now under the consideration of the Government?

THE HON'BLE MR. WAJAHAT HUSSAIN : Sanction has been given to the preparation of an estimate for construction of a bridge over Tawi at Jaganun. It is under preparation and the work will be carried out when the estimate is sanctioned and funds arranged.

COLONEL ABDUR REHMAN : Has not even an estimate been formed in three years yet?

THE HON'BLE MR. WAJAHAT HUSSAIN : The Praja Sabha has been set up only a year and not three years back.

537. COLONEL ABDUR REHMAN : (*a*) Will Government please state whether the *Berun* line area where the zamindars used to graze their cattle and wherefrom they used to get firewood and charcoal for their agricultural implements has been taken over by the Forest Department?

(*b*) If the answer be in the affirmative, will Government remit the grazing fee of those zamindars? How will the remaining needs of the zamindars be fulfilled?

(*c*) On the contrary, are Government prepared to restore such areas to the zamindars concerned?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No.

(*b*) and (*c*) Do not arise.

538. KOTWAL LAKHMI RAM (Udhampur-Hindu) : Will Government please state as to why the Settlement Report of Tehsil Bhadarwah of the First Regular Settlement of the year 1974 has not yet been published?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It is under the consideration of the Government. In any case, assessment reports are confidential State documents and cannot be published for general information. They are intended for official circulation only. As such, the question of its publication or otherwise can be of no interest to the member Praja Sabha.

539. KOTWAL LAKHMI RAM : Are Government aware that gonorrhoea is prevalent in hilly Illaqa of District Udhampur. What arrangements have the Government made in this behalf?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes. Proposals to combat the disease are under consideration of the Government.

540. KOTWAL LAKHMI RAM : Will Government please place before the House a statement showing the different kinds and amounts of annual income from Bhadarwah, Kishtwar, Ramban, Ramnagar, Udhampur Tehsils of Udhampur District? What amount is spent on the works of improvement and welfare of these tehsils?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : A statement showing amounts of annual revenue income under different heads for the year 1991-92, is laid on the table of the member. Figures of revenue under miscellaneous heads being not available for every tehsil, income for the whole District, however, has been shown under these heads.

A sum of Rs. 6,454 was spent on Road Cess works, detailed list is enclosed.

Statement of Revenue, Cesses and other items of Revenue for the Tehsils of the Udhampur Wazarat for the year 1991-92.

Serial No.	1	2	3	4	5	Total
Tehsil.	Udham-pur.	Ram-nagar.	Ram-ban.	Kisht-war.	Bhadar-wah.	
District.	Udhampur.					
Land-revenue.	53,945	92,884	50,674	39,761	62,275	3,04,539
Patwar.	3,508	5,121	2,744	2,212	2,988	16,573
Road.	1,891	2,645	1,327	1,105	1,781	8,749
School.	564	794	397	331	535	2,621
Malikana.	9	1	....	....	20	30
Permanent Kah-charai.	8,036	18,224	15,994	10,681	....	52,935
Nazrana.	....	....	93	....	....	93
Bachh.	....	....	....	....	103	103
Sanitation Fund.	1,301	1,633	878	56	1,317	5,185
Total	15,309	28,418	21,433	14,385	6,744	86,289
Permanent Kah-charai.						65,823
Fines.						2,177
Sale of trees.						2,551
Confiscation of Panjotra.						544
Contract of gar-dens.						806
Brick kiln and Royalty.						132
Mir Bahri on-tract						455
Nautor.						2,522
Miscellaneous Contracts.						1,629
Tawan Mutation						79
Ground-rent.						72
Mutation Fees.						870
Total.						77,660

Total Revenue .. 3,04,539

Total Cesses .. 86,289

Other Items .. 77,660

GRAND TOTAL .. 4,68,488

† Others.

REMARKS.

† Tehsilwar account of these items does not exist in the Wazarat record. Total income of the whole Wazarat is however given.

List of Road Cess Works of Udhampur District executed in the financial year.

Serial No.	Description.	1991-92. Amount sanctioned.			Amount expended.		
		Rs.	A.	P.	Rs.	A	P.
	(A) SPECIAL REPAIRS TO ROADS.						
1	Thalora-Mansar road ...	206	0	0	206	0	0
2	Ramnagar-Basohli road ...	476	0	0	476	0	0
3	Kandani-Sarthal road ...	289	0	0	288	14	9
4	Galu-Thathari road ...	660	0	0	451	0	9
5	Bhadarwah-Kelas lake road	558	0	0	381	10	6
	(B) ANNUAL REPAIRS TO ROADS.						
1	Udhampur-Katra road ...	75	0	0	75	0	0
2	,, Kishenpur road	200	0	0	139	12	9
3	Birwan-Dudar ...	60	0	0	45	0	0
4	Udhampur-Landar Part I ...	90	0	0	36	0	0
5	,, ,, II	120	0	0	76	0	0
6	,, Ramnagar Tanga road Part I ...	300	0	0	*172	6	0
7	Udhampur-Ramnagar Tanga road Part II ...	143	0	0	†113	15	6
8	Udhampur-Ramnagar foot path Part I ...	90	0	0	66	6	6

* Rs. 120-2-9 are still to be paid. † Not yet paid.

Serial No.	Description.	1991-92.					
		Amount sanctioned			Amount expended.		
		Rs.	A.	P.	Rs.	A.	P.
9	Udhampur-Ramnagar foot path Part II ...	225	0	0	217	0	0
10	Ramnagar-Jammu road ...	210	0	0	210	0	0
11	„ Dinga Amb road...	225	0	0	225	0	0
12	„ Dudu road *via* Basantgarh ...	450	0	0	435	0	0
13	Ramnagar-Satian road ...	60	0	0	60	0	0
14	„ Samba road ...	195	0	0	188	0	0
15	„ Mansa Devi road	40	0	0	40	0	0
16	„ Patangarh road...	180	0	0	174	0	0
17	Sruinsar-Thara Kalwal road	285	0	0	278	0	0
18	Kalouta-Talab Ram Chand road ...	75	0	0	73	0	0
19	Resli-Dudu road ...	105	0	0	105	0	0
20	Dudu-Bhadarwah road ...	210	0	0	205	0	0
21	Thalora Slo bridge road ...	165	0	0	162	0	0
22	Ramban-Kandani road Part I	180	0	0	170	0	0
23	Kishtwar-Margan pass road	105	0	0	80	0	0
24	Chhatru-Marbal pass road ...	225	0	0	215	0	0
25	Ram Rasta ...	300	0	0	281	10	0

Serial No.	Description.	1991-92.	
		Amount sanctioned.	Amount expended.
		Rs. A P.	Rs. A. P.
	(C) ANNUAL REPAIRS TO BRIDGES		
1	Beinsta bridge ...	12 0 0	12 0 0
2	Nauji bridge ...	12 0 0	12 0 0
3	Chhalaryari bridge ...	20 0 0	20 0 0
4	3-81′ span culvert on Dadu-Ramnagar road ...	24 0 0	24 0 0
5	7-9′ span culvert on Dadu-Ramnagar road ...	28 0 0	28 0 0
6	Rehni bridge ...	40 0 0	40 0 0
7	Rasli bridge ...	120 0 0	120 0 0
8	Dewak bridge Khatan Ban...	80 0 0	79 10 9
9	Kandani bridge ...	280 0 0	18 2 6
10	Pari Kharoli bridge ...	80 0 0	79 9 6
11	Bridge Nallah Leddar ...	40 0 0	40 0 0
12	Bridge over Nallah Rajgarh	16 0 0	16 0 0
13	Culvert site Kashi Ra ...	40 0 0	40 0 0
14	„ Dholva Bhadis (Thanda Paddar) ...	32 0 0	32 0 0
15	Culvert Bhalta Bhulana ...	12 0 0	12 0 0
16	1-20′ culvert Dudu-Dharamthal road ...	50 0 0	49 11 9

Serial No.	Description.	1991-92	
		Amount sanctioned.	Amount expended.
		Rs. A. P.	Rs. A. P.
17	2-12' culvert Dudu-Dharamthal road ...	20 0 0	20 0 0
18	1-81' contilever bridge ...	100 0 0	99 9 6
19	Patangarh-Dhanas bridge ...	30 0 0	30 0 0
20	Mandarala bridge ...	30 0 0	30 0 0
	Total ...		6,454 8 9

'Against the receipt of Rs. 5,185 under the head of Sanitation Fund, the following sums have so far been spent in the District Udhampur :—

		Rs.
1.	Water supply Batote ...	20,000
2.	Annual maintenance charges of the above ...	500
3.	Udhampur water supply maintenance charges	1,000

Besides the above, proposals for improvements in other directions particularly in the matter of venereal diseases in Ramban, Kishtwar, Bhadarwah and Ramnagar Tehsils, are under consideration.

In addition to this a good deal of amount is spent by the P. W. D., the Education and Medical Departments for improvement and welfare of these tehsils.

541. KOTWAL LAKHMI RAM : Are Government aware how many applications for obtaining timber have been submitted, in the town of Tehsil Ramnagar, under Jammu Forest Notice Rules relating to timber?

What are the reasons for not granting timber to the applicants as required by the rules?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Member Praja Sabha has not specified the period for which information is required hence data could not be collected.

542. PANDIT AMAR NATH KAK (Srinagar City North : Hindu) : Will Hon'ble the Minister-in-charge of Industries be pleased to state :—

(*a*) Whether the Peripatetic Party gave any demonstration during the year 1992? If so, at what places and what was the number?

(*b*) Were any demonstrations given in Kashmir Province? If so, at what places? If not, what are the reasons for it?

(*c*) What improvements were introduced by the party as a result of demonstrations during this year?

(*d*) If none, what is the necessity of continuing this institution?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : As requested by the inhabitants of Bhadarwah and Kishtwar the party was stationed in Bhadarwah and Doda as its head-quarters. It covered 25 villages acquainting the weavers of these villages with the latest appliance and methods of weaving. The party studied conditions peculiar to the Illaqa and invented a special shuttle suitable for wool weaving. The party has completed preliminary work. Despite deep conservatism and many other difficulties connected with the working of hand spun woollen yarn on fly shuttle loom, the party has introduced more than 8 fly shuttle sleys in the Illaqa ; ground has been prepared and further work will be easily accomplished.

(*b*) Demonstrations were held in Kashmir for over 5 years. These demonstrations were given at Sopore, Baramulla and the Illaqa Khanyar (Srinagar), Tral, Pampore, Shopian, Anantnag, Qazikund and at other stations.

(*c*) The party is intended to acquaint the weaver with the latest weaving appliances so as to increase production per loom per day. The party accomplished this during the year by the introduction of fly shuttle sleys.

(*d*) The party is doing very useful work in bringing income to the village weaver, knowledge and use of modern weaving appliances. There is a constant demand for demonstration by the weavers of Hiranagar, Samba and other tehsils.

543. PANDIT AMAR NATH KAK : Will the Hon'ble Minister-in-charge Industries be pleased to state whether the quality of uniforms supplied by the contractors of the Civil Supplies Department is deteriorating from year to year.

Whether it is a fact that the contractors used imported cloth for uniforms?

If so, in what way does the Civil Supply organization help the local industries?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It is not a fact that the quality of uniforms supplied by contractors is deteriorating. Cloth of which the uniforms are to be made are every year standardized by a committee and the contractors simply act as suppliers of uniforms made from standardized cloth.

For winter uniforms invariably locally made puttoo is used. For summer uniforms, drill cloth and pagree cloth manufactured by Indian mills is standardized and is used by the contractors, as the same is not made locally by any one. All other accessories used are from local manufacturers.

544. PANDIT AMAR NATH KAK : Will Hon'ble the Minister-in-charge Public Works be pleased to state :—

(*a*) What were the reasons for proposed construction of Zaina Kadal of Srinagar at a place adjacent to Sri Ranbir Ganj?

(*b*) Why has now the proposal been dropped and Zaina Kadal is being constructed at the place where it crossed the river previously?

(*c*) In view of the fact that Zaina Kadal is being constructed at its previous place and on account of a very long distance between Nawa Kadal and Zaina Kadal, will the Government reconsider the matter and construct Ali Kadal also, which would relieve thousands of people from inconvenience and loss which its absence is causing them?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) and (*b*) It was in the first instance contemplated to construct a Reinforced Concrete Bridge for which the site alluded to was most suitable. As the cost was prohibitive, the idea was dropped and a timber bridge is being constructed at the old site.

(*c*) It has been observed that water gets headed up in time of flood on account of too many bridges. It is technically unsound policy to reconstruct Ali Kadal Bridge.

545. PANDIT AMAR NATH KAK : Will Hon'ble the Minister-in-charge of Education be pleased to state :—

(*a*) Whether the different private girls' and boys' schools in Srinagar are being given the amount of State aid, which they are entitled to get under rules?

(*b*) Has their demand for grant of Government aid during the last 3 or 4 years been kept in abeyance on account of financial stringency?

(*c*) As the financial conditions have now improved, will the Government now consider the question of giving adequate grant to these schools?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) No, as no increase is given at present.

(*b*) Yes.

(*c*) The question will be considered when the financial condition of the State is better.

546. CHOUDHARI ABDULLAH KHAN (Jammu Wazarat : Muslim) : (*a*) Will Government please state how much cultivable land has been washed away in Tehsil Samba by the Nullahs during the rainy season, such as Dewak and Basantar since the completion of the last Settlement uptil now?

(*b*) Leaving aside the loss caused to the zamindars, by how much the annual land-revenue has decreased on this account and what has been the total loss of land-revenue so far?

(*c*) Are Government, keeping in view the heavy loss that the zamindars have suffered and are suffering, prepared to regulate, by means of embankment, the course of these Nullahs which appear to be big rivers in the rainy season as they have decided to do regarding the river Chenab and thus pevent the occurrence of further loss in future?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) 8,881 kanals.

(*b*) Annual land-revenue amounting to Rs. 3,212 remitted so far.

(*c*) The Government will enquire if the proposal to regulate the flow of water in these Nullahs by raising embankment is feasible technically and financially.

CHOUDHARI ABDULLAH KHAN : I submit whether the Government will grant any areas for the encouragement of zamindars whose lands have been washed away?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No areas are granted to zamindars in place of these lands.

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547. CHOUDHARI ABDULLAH KHAN : What is the total number of Zaildars in Tehsil Jammu and how many of them are Muslims? If none is a Muslim, what are the reasons therefor, and what is the intention of Government in this respect?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : 1*st part*.--There are 8 Zaildars in the Tehsil Jammu and none of them is Muslim.

2*nd part*.—Zaildars generally represent the land-owners and the community which possesses agricultural land in large measure. They are required to be men of influence and their services to the public and the Government are also taken into consideration. It is, however, a purely administrative matter and the fittest person has to be nominated in the interests of Government work.

Since Muslims as a class possess very little agricultural land as compared with the holdings of other classes, no Muslim has been appointed as a Zaildar. In such matters the Government follows the prescribed rules on the subject.

548. CHOUDHARI ABDULLAH KHAN : Will Government please state whether it depends on the sweet will and the mercy of the officers and the clerks of the Accounts Department to return the bills sent to them for pre-audit or whether there are certain rules according to which they must be returned? If there are any prescribed rules why is so much delay caused in returning certain bills that for years together nothing is heard of the bills and the payee of the bill, however clever and able he may be, sits contented with his bad luck after trying his best to get the bill?

Will Government adopt some means to remove this unspeakable trouble of the public? If not, why?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The bills requiring pre-audit are mentioned in Article 29 Revised Treasury Code. There are no rules prescribing a time limit, but under standing orders of the Accountant General, bills whether passed for payment or held under objection, have to be returned to the office or person concerned without avoidable delay. If the member Praja Sabha can give concrete cases where bills have not been returned for years, the Finance Minister will be glad to look into the matter.

549. CHOUDHARI ABDULLAH KHAN : (*a*) Will Government please state what was the outturn of Abdur Rahman, Inspector Con-

solidation of Holdings, Ranbirsinghpura and of the establishment under him during the years 1989 to 1991? In what villages this work has been completed during this time and in what villages it has not been completed so far and what are the reasons therefor?

(*b*) What has been the expenditure on account of pays etc. of the said establishment in Ranbirsinghpura during the years 1989 to 1991?

(*c*) How much time and money will the Government have to spend in order to complete this work in Tehsil Ranbirsinghpura at this speed?

Will Government please state whether under these conditions and at this speed, it is possible to complete the work of consolidation of holdings in the whole State? If so, after how much expenditure and after the lapse of how much time? If the answer be in the negative, what objects, under the present circumstances, have Government in view besides pampering the present establishment and harassing the zamindars?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI: (*a*) Tapped 18 villages; operations taken up in 11 villages; work completed in 6 villages with the following result :—

Total area of 6 villages.	Area under consolidation.	No. of fields before consolidation.	No. of fields after consolidation.	No. of members.
Kanals.	Kanals.			
21,708	21,260	5,517	386	438

Reasons for not completing work in five villages are mutual dissensions among some members and death of a few.

(*b*) Rs. 7,623 (including T. A. and Contingencies).

(*c*) This work depends entirely upon mutual consent of members and the strength of staff employed; it does not admit of any arithmetical calculations.

Consolidation of holdings in the whole State in the near future is out of question.

The end in view is to prevent the land from fragmentation and to reduce it to the minimum number of blocks per head thereby minimising the zamindars' expense and inconvenience.

The work is certainly beneficial to the zamindars. There is no pampering of the establishment nor any harassing of the zamindars as consolidation cannot be effected without the consent of a majority of zamindars in a village.

550. PANDIT RAM CHANDRA DOBEY (Kathua :Hindu) : There is a population of over forty thousand of Budhists in Frontier District Ladakh, from amongst whom there is only one Graduate who is receiving Naib-Tehsildar's training in the Revenue Department.

Will Government in order to encourage such a backward community, appoint this candidate as permanent Naib-Tehsildar of Frontier Illaqa on his completing the course of Revenue training? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : On the occurrence of a vacancy the claims of the candidate will receive due consideration. The question of his appointment as permanent Naib-Tehsildar can be considered only after he has fully qualified himself for Naib-Tehsildarship.

PANDIT RAM CHANDRA DOBEY : In what respects are his qualifications deficient.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : He should make up whatever deficiencies he may have.

551. PANDIT RAM CHANDRA DOBEY : The Budhists community of Ladakh is in such a deplorable condition for want of a local High School there that the students after passing middle examination cannot afford to come over to Srinagar for acquiring further education. Accordingly there is one student from there, reading at Srinagar on Government Frontier scholarship but the amount fixed as frontier scholarship by the Government is not sufficient to defray his expenses. Are Government prepared to increase the number of frontier scholarships for such Budhist students, who may come to Srinagar to acquire further education and are they prepared to increase the present amount of scholarship from Rs. 12 to 15

per mensem so that a sufficient number of students may come over to Srinagar for acquiring education?

THE HON'BLE MR. WAJAHAT HUSSAIN : The Education Department is prepared to propose an increase in the number of scholarships provided that the number of students coming from Ladakh increases. The value of scholarship is sufficient and it is not intended to increase it at present.

PANDIT RAM CHANDRA DOBEY : The Government is aware that only one student from there is in Srinagar now ; that no more students can come from Ladakh unless more scholarships are granted ; and that the present value of the scholarships is not sufficient. Is the Government, therefore, prepared to reconsider the matter and increase the value of the scholarships from rupees ten to rupees fifteen so that other students may receive encouragement?

THE HON'BLE MR. WAJAHAT HUSSAIN : We have already informed the Budhist members that we are prepared to sanction more scholarships when we are informed that other students intend coming to Srinagar.

552. PANDIT RAM CHANDRA DOBEY : Will Government please state whether the amount of Rs. 1,332 stated during the last Session of the Praja Sabha to be given as scholarships to Budhist students has been spent for their education at Srinagar?

THE HON'BLE MR. WAJAHAT HUSSAIN : It was never stated that this amount was meant for award of scholarships to Budh students only, *vide* reply given to Q. D. No. 922 put by Mr. Phuntchhok Tuniot at the last session of the Praja Sabha.

553. PANDIT RAM CHANDRA DOBEY : During the last session of the Praja Sabha it was stated on behalf of the Government that the sum of Sanitation Cess levied at the rate of one pice per rupee of the land-revenue, was already included in the *Bachh*?

Are Government prepared to charge this sum from each house like the Chowkidara fund after distributing it over the number of houses in the village? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No. In the proposed manner poor zamindars as well as mere cultivating tenants will get taxed. The present system aims at collection of tax from revenue payers who own agricultural land as well as residential houses.

PANDIT RAM CHANDRA DOBEY : Is no sanitary tax realised from other people who live in rural areas and who are financially better off.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The present practice is that people having land in rural areas are charged sanitary tax.

PANDIT RAM CHANDRA DOBEY : This means that the sanitary tax should be realised from the inhabitants of rural areas alone.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The levy of the sanitary tax is determined by land and land-revenue.

554. AGHA SYED HUSSAIN JALALI (Rainawari-Maharajanj, Srinagar City :Muslim) : (*a*) Is it a fact that the Srinagar Municipal Committee acquired the area under Khasra No. 192, 193, 199, 195, 196, 200, 201 198, 202 etc. about thirty-four years ago for the sake of Maharajganj Bazar?

(*b*) Has the compensation been proposed for this area, from the Governor Kashmir's office.

(*c*) If the answer to (*a*) and (*b*) be in the affirmative, will the Hon'ble Finance Minister please state why in reply to Governor Kashmir's letter No. 1638, dated 28th September, 1933, to the President Municipal Committee, Srinagar, the amount of compensation together with interest thereon has not been paid to the concerned persons?

(*d*) Are Government prepared to take action against the responsible officers of the Municipal Committee for not giving the amount of compensation for such a long time?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) The land was not acquired by the Municipality but by the P. W. D. and the Medical Department.

(*b*) Yes.

(*c*) The payment of compensation is now finally under consideration.

(*d*) Does not arise.

MIAN AHMED YAR : For how many years is it being taken?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : This is already given in the question.

MIAN AHMED YAR : Is that correct?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Yes.

MIAN AHMED YAR : Last year it was stated that the matter was under consideration.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) This has now been done. They will be given interest too.

555. AGHA SYED HUSSAIN JALALI : Will Government please state :—

(*a*) The number of students in each of the Mufassil Technical Schools?

(*b*) The amount spent over these schools?

(*c*) The annual number of students who came out successful from these schools.

(*d*) The Department where they are employed,

(*e*) The amount spent for each student and

(*f*) Whether, if these students be granted stipends to receive training in different lines in the central institution, the expenses will be comparatively great, equal or what?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*), (*b*) and (*c*) The figures of 1991-92 are given below :—

	Name of School.	No. of students.	Amount spent. Rs.	a.	p.	No. of students successful.
1.	Technicai school, Anantnag	26	6,137	13	0	16
2.	" " Baramulla	23	4,983	7	3	16
3.	" " Bhadarwah	30	5,556	3	0	20
4.	" " Kishtwar	28	5,623	12	2	13
5.	" " Mirpur ...	41	5,878	3	0	20
6.	" " Samba ...	32	3,434	3	9	9
	Total ...	180	31,613	10	2	94

(*d*) Some of them are employed in Government Departments and some have set up their own business.

(*e*) Mufassil institutes ... Rs. 517 per year.
Central institutes ... Rs. 300 to Rs. 400 per year.

(*f*) The expense will be much larger.

556. AGHA SYED HUSSAIN JALALI : (*a*) Will Government please state as to why Overseer class has been abolished in Sir Amar Singh Technical Institute, when the country need it most, and when the students have to go abroad for this training?

(*b*) If Government stand in need of such persons in future and in order to make good this deficiency, consider it necessary to depute persons abroad, will Government issue orders for opening this class?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) As the P. W. Department could only absorb one or two students a year, it was not considered necessary to continue the Overseer class in the Technical Institute, Srinagar.

(*b*) The question is hypothetical.

557. AGHA SYED HUSSAIN JALALI : (*a*) Will Government please state for what reasons Sir Amar Singh Technical Institute has been allowed to remain at its present site?

(*b*) Can the entire population of the city get benefited by it?

(*c*) If the answer to part (*b*) be in the negative, can Government establish this or any branch of it in the centre of the city, so that the subjects of the State may profit equally by this and thereby economic depression may be removed?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Because this building was specially constructed for the location of Sir Amar Singh Technical Institute.

(*b*) Yes.

(*c*) The question does not arise.

558. MALIK GHULAM HUSSAIN (Kulgam :Muslim) : (*a*) If the answer to Q. D. No. 318, asked on 21st October, 1935 be cor-

rect, why the Kahcharai Girdawars take cattle census in every village every year?

(*b*) In view of the answer above referred to, will Government issue orders that the cattle census may not be taken in respect of the occupancy tenants every year but rather it may be taken in respect of the nomads only?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The Girdawars do not take cattle census every year except in case of nomads or goats in the Kashmir Province, as these were not included in the fixed Kahcharai.

(*b*) Does not arise.

559. MALIK GHULAM HUSSAIN : (*a*) In view of Q. D. No. 307 of October, 1935, will Government please state as to why entry of the rights of Forest concessions of the following villages over the adjacent forests has not been made by the demarcation when they are situate within a distance of three miles :—

Name of village.	Name of Tehsil.	Name of Forest
1. Jangalpura	... Kulgam	.. Akhal.
2. Puhloo	... ,,	... ,,
3. Shahu Shachan	... ,,	... ,,
4. Chuin Arigam	... ,,	... ,,
5. Qasba Devsar	... ,,	... ,,
6. Qasba Shopian	... ,,	... ,,

(*b*) If this is the mistake of demarcation, will Government rectify it? If so, when?

(*c*) Why have the rights of the forest concessions of the village Kilam, Tehsil Kulgam not been entered by the demarcation?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*), (*b*) and (*c*) The Conservator of Forests, Kashmir Circle, has been asked to

report after having a detailed enquiry made on the spot and the reply will be given in the next session of the Praja Sabha.

560. MALIK GHULAM HUSSAIN : Are Government going to abolish the Game Rakh Asthal of Tehsil Kulgam? If the answer be in the affirmative, will Government grant trees on concession rates from this forest as is done in the case of other forests?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This question as to the future management of this area, is under consideration.

561. MALIK GHULAM HUSSAIN : In view of Q. D. No. 315 of April, 1935, will Government please state under what principle they have declared the birds on the lands owned by the zamindars, as their property, and why Government demand a license for the killing of such birds?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Wild animals and birds are not the personal property of zamindars.

562. KHAWAJA SAIF-UD-DIN SHAH : (*a*) Is this assertion of the Kashmir Government correct that it is anxious for the welfare and prosperity of the zamindar class. Does this welfare and prosperity also lie in the irrigation of dry areas?

(*b*) If the answer to (*b*) above be in the affirmative, what scruple is there in irrigating Kandi Baghal, Baramula?

If the answer be in the negative, is it not equivalent to such welfare and prosperity?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) *1st part*.—Subject to availability of funds, the Government is always prepared to explore feasible means of irrigation.

2nd part.—Does not arise.

563. KHAWAJA SAIF-UD-DIN SHAH : (*a*) Will the Kashmir Government please state as to what amount they are prepared to spend on the work of rural reconstruction.

(*b*) Will these expenses be met from some particular head or will they be realised from the zamindars along with the land-revenue? If latter, at what rate?

(*c*) Are the zamindars prepared to undergo this burden, or will the amount be forcibly realised?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : A sum of Rs. 14,043 in addition to training expenses of candidates is to be spent this year *vide* reply to Q. D. No. 506.

(*b*) Expenditure incurred on maintenance of the Department will not be recovered from zamindars along with the land-revenue. Funds required for the working of Panchayats will be raised locally in accordance with the provisions of the Panchayat Regulation.

(*c*) Does not arise.

564. KHAWAJA SAIF-UD-DIN SHAH : (*a*) Will the Hon'ble Revenue Minister please explain as to what extent of area is Khalsa and what extent *Shamilat* in the Northern and Southern Wazarats? What extent out of it is occupied by the zamindars?

(*b*) To what extent it is useful to keep occupied the Khalsa area?

(*c*) Is it a fact that the zamindars complain of the insufficiency of the *Shamilat* area and that they are compelled to cultivate the grave-yards?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*)

Southern Wazarat.		Northern Wazarat.
Khalsa	... 4,77,981 Kanals	1,70,418 acres.
Shamilat	... 14,78,271 ,,	

(*b*) *Zamindari* rights are confined to *Shamilat* only and the residual Khalsa waste is to be dealt with under the State Waste Land Rules.

(*c*) No such complaint as alleged by the member Praja Sabha has been received.

565. KHAWAJA SAIF-UD-DIN SHAH : (*a*) Have the Kashmir Government specified any particular plot of land for sheep-breeding? If so, how much?

Has any body been recommended in this behalf?

(*b*) Does he belong to an agricultural class?

If the answer to (*a*) and (*b*) be in the nagative, are Government prepared to do so?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Government has not so far ear-marked any land for sheep-breeding. The matter is still under consideration and no particular person has been recommended so far.

(*b*) Does not arise.

The Department of Industries is giving due consideration to the possibility of starting sheep-breeding and wool-growing.

566. NONO TUNIOT SHAH (Ladakh Wazarat :Budhist) : The question of employment in Ladakh District is increasing every year? As there is only one way of solving this problem *i. e.* by introducing silk industry in all stages, rearing, reeling and weaving in the Tehsils of Kargil and Skardu where mulberry trees are found in abudance, will the Government kindly consider this proposal?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The member is advised to discuss this matter with the Director of Sericulture at Srinagar and bring it up again in a concrete form in the next session of the Praja Sabha? The Government will consider it sympathetically.

567. NONO TUNIOT SHAH : Originally the object of the establishment of the posts of Tanche and Sangsham was to realize customs duty on salt, tea and wool imported from Illaqa Janthan (*i. e.* Lasa-Tibet), because the inhabitants of Ladakh (Kashmir State) are charged at the rate of Rs. 2 per cent. on all goods at Roowak and Numarwak in Illaqa Lasa-Tibet. But, besides the traders and inhabitants of Janthan (the foreign Illaqa), the inhabitants of Ladakh (Kashmir State) are also charged customs duty at the rate of Rs. 2 per cent. and if the same traders carry the same goods to Srinagar, they are required to pay customs duty again, that is, customs duty is charged twice on the same goods in Kashmir State which is not just. Will proper arrangement be kindly made after inquiry from the concerned department?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Goods imported into the State from Tibet whether by outside traders or local men are assessed to two per cent. duty.

(*b*) Government is not aware of any customs duty being charged on imports made from Tibet on which two per cent special duty is levied at the Trade Posts of Langsham and Tansksti.

NONO TUNIOT SHAH : Will the Government please state whether customs duty is levied on the wool that is imported into the State from Ladakh?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Please see me today in my office and you will be given all the information about this.

SHORT NOTICE QUESTIONS.

MR. JAGAT RAM ARYAN : (*a*) Is it a fact that the magistrate sent the accused persons to the lock-up in case Anant Ram and others residents village Rakhana (Kishtwar) *versus* Lal Chand and others?

(*b*) Is it true that fetters were put on the accused while in the lock-up?

(*c*) If it is correct, will it be stated whether the Jail authorities were justified to do so?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

MR. JAGAT RAM ARYAN : Sir, may I know under which law?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You had asked no such question.

THE HON'BLE MR. WAJAHAT HUSSAIN (Leader of the House) : If any such question is asked it will be replied to.

In the present question you have not enquired about any legal quotation. The law is not here before me. If you put this question in due form a reply will be given.

PANDIT RAM CHANDRA DOBEY : Will the Government please state the reason for detaining a large number of students of the

Jammu College and whether the Government is prepared to consider their representation in order to remove this trouble?

THE HON'BLE MR. WAJAHAT HUSSAIN : The total number of students examined in the 4th year and 2nd year classes was 84 and 168 respectively. Of these only 3 were detained in the 4th year and 29 in the 2nd year as they could not qualify themselves for being sent up for the University Examination owing to their failure in securing the required percentage of marks (33 and 25 in the 4th year and 2nd year classes). In the interest of discipline in the college the Government will not interfere with the decision of the Principal, and is not prepared to consider any representation unless it is supported by the Principal.

PANDIT RAM CHANDRA DOBEY : Why were these rules not put in force during the past? Why has this been done now?

THE HON'BLE MR. WAJAHAT HUSSAIN : Last year also the same rule was in force and it has been in force since then.

PANDIT RAM CHANDRA DOBEY : But why were students not detained last year according to this rule?

THE HON'BLE MR. WAJAHAT HUSSAIN : I assure you that this rule was in force last year?

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Last year they did not play too much *Kabaddi*. (Laughter)

AMENDMENT TO FOOD CONTROL REGULATION.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now the bill to amend the Food Control Regulation will be taken up for discussion in the House. This bill had at first been printed to elicit public opinion. Now according to section 55(3) it will be moved by the Hon'ble Revenue Minister that this bill be referred to a Select Committee. Any member wanting to speak against this motion can do so after that.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Sir, the Food Control Regulation Amendment Bill which was presented before the Praja Sabha in its last session, was according to the decision of the House published for eliciting public opinion. The opinions on it have now been received. I, therefore, move that this amendment bill be now referred to a Select Committee for which I propose the following names :—

1. The Revenue Minister (Chairman).

Members.

2. Khan Bahadur Thakur Agha Syed Hussain.

3. Khawaja Sanaullah Shah.

4. Khawaja Ghulam Mohi-ud-Din.

5. Pandit Jia Lal Kilam.

6. Sardar Budh Singh.

7. Wazir Ganga Ram.

Mr. Ram Nath Sharma will be the Secretary.

Opinions on Amendments to Food Control Regulation.

In pursuance of the decision of the Praja Sabha, the bill to amend the Food Control Regulation No. 1 of 1986 was published for eliciting public opinion. Copies of the bill were forwarded to all Co-operative Societies, important public bodies and newspapers for communicating their views and remarks. Extracts of the opinions received are recorded below.

I. *Co-operative Societies.*—Of 363 societies that have sent their opinions, 107 are in favour of the bill and 256 against it.

II. *Papers.*—(1) *The Kashmir Times* states that the only amendment which requires public attention is the Annexure to the Food Control Regulation, in which prices for purchase of Shali have been fixed by the Government. The Government now propose to delete this annexure and fix the purchase rate of Shali from time to time. If this proposal means that the sale price will also be comparatively reduced we have got no objection to the proposed amendments. But if the sale prices shall remain unaltered we cannot agree with the proposal. The Department is not supposed to make high profits since it was first instituted as a concern of relief, pure and simple. If the Shali is procured at low prices, law must provide that corresponding decrese should follow in the sale price also.

(2) *The Vakil* considers itself justified in holding that the proposed amendments are calculated only to benefit the Government and are likely to prove harmful to the zamindars. The paper states that it is quite unjust to obstruct the freedom of trade and desires that the bill should not be passed.

III. *Public Bodies.*—(1) The Anjuman-i-Hamdard Muslim Srinagar is of opinion that it is somewhat reasonable to reduce the prices fixed for various Ghats by 5 per cent. but any further reduction would amount to injustice because the zamindars cannot at present find any market for their surplus produce. They are already quite helpless and reduction in prices will involve them in greater difficulties.

(2) The Anjuman-i-Islamia of Muzaffarabad considers the bill highly detrimental to the interests of the zamindars and is of opinion that it should not be passed.

(Sd.) HIRA NAND RAINA,

SECRETARY,

Jammu and Kashmir Praja Sabha.

SARDAR BUDH SINGH : I withdraw my name.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : In place of Sardar Budh Singh I propose the name of Sardar Kanhaya Singh.

SARDAR KANHAYA SINGH : I also withdraw my name.

MIRZA M. A. BEG : Khawaja Sanaullah Shah is absent. It is not known whether he likes or does not like to be a member.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : All right. In place of Sardar Kanhaya Singh we will take Sardar Hari Singh.

MIAN AHMED YAR : Sir, this bill should not be referred to a Select Committee. I, therefore, appeal that it should be withdrawn.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : How can you ask him to withdraw the bill?

You may discuss whether or not the bill should be referred to a Select Committee but how can you have it withdrawn.

MIAN AHMED YAR : Sir, I crave the attention of the House and would ask that this bill should not be referred to a Select Committee. We have got to see whether or not the people approve of

this bill. It was published in the Gazette for eliciting public opinion soon after it was presented before the House. This meant that the opinion of the country was to be known. It was necessary to know the opinion of the people who would be affected by it.

The opinions received in the Praja Sabha office so far are as follows :—

> The opinions of three hundred and sixty-six Co-operative Societies have so far been received about this bill. Out of these two hundred and fifty-six are against the amendment, and hundred and seven are in its favour. This means that a majority of the opinions received go against it.
>
> The Kashmir Times is also opposed to it. That paper too wants that this amendment to the bill should not be passed. The Vakil has also stated that this amendment bill will benefit the Government only ; that there is a possibility of its proving harmful to the zamindars and that it is unjust to interfere with trade. Therefore this Amendment Bill should not be accepted. The Anjuman-i-Hamdard, Srinagar and the Anjuman-i-Islamia, Muzaffarabad in their public meetings also regarded this law as being very harmful to zamindars. They opine that the zamindars are already helpless and that the fall in prices has made their difficulties all the greater.

I would submit to the House that in 1986 when this Regulation was passed the prices stood very high. The zamindars were compelled to accept lower prices. When market conditions change the same thing will happen again. Therefore, it is most improper to refer this amendment bill to a Select Committee.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) : You should bear in mind that no new law is being passed at this time. You have got only an amendment before you now. A law which already exists on the Statute Book is being amended.

Mian Ahmed Yar : That has already been stated in the beginning, Sir, I submit that the amendment which is being moved is harmful to the zamindars and therefore instead of appointing a Select Committee to consider it, it should be rejected now.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) : There should be no argument against the law. The law does exist.

MIAN AHMED YAR : Sir, the object of this resolution is that the Government should be empowered to reduce prices at any time it likes. When the original prices were fixed, the market prices were very high. At that time the city dwellers were helped out of their difficulties by giving low prices to the villagers (for their produce). Now, if there is any market for the zamindars it is this. They can give their grains as *Mujawaza* and get some money for the payment of land-revenue.

This amendment will mean that even when there is a rise in the market prices grains will be had from the zamindars at low prices. There is the possibility of a great loss to them in this way and the Government is keeping only its own benefit in view.

When our beloved Ruler proclaimed the inauguration of the Praja Sabha, so as to make his dear subjects take some part in the making of laws, His Highness meant that laws should be framed according to the wishes and the needs of the people.

We have now before us the opinions of wellknown Societies, Anjumans and papers which are against this amendment bill. How then under these circumstances it is necessary to refer it to a Select Committee. Therefore, instead of sending it to the Select Committee, it should be dropped in accordance with public opinion.

SARDAR BUDH SINGH : Sir, it has been ordered that we cannot ask any questions about this law. The amendment that has been read in the House empowers the Government to reduce prices whenever it likes to do so.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I am sorry to interrupt you. The aim at this time is that the amendment bill be sent to the Select Committee where it will be thought out whether or not it should be passed. The discussion now is whether this amendment can be referred to a Select Committee.

SARDAR BUDH SINGH : I submit that it has in it an item which if accepted by the Select Committee, will ruin the poor zamindars. The only object of the Government in this is that the prices may be reduced whenever the Director Food Control so desires. If the prices fall, the zamindars too will get lower prices.

There are two things to be found today. Public opinion is against this measure and the representatives of the people too are opposed to it. Under these circumstances is it necessary to change or amend this law? Rates were fixed when this law was made and

zamindars were put to a great loss. Suppose the Government sells grain at the rate of Rs. 4-8-0. The zamindar also can sell it at Rs. 4-8-0 then. But if the Government reduces the rate and fixes it at Rs. 2-8-0 instead the poor zamindar will also be able to get only Rs. 2-8-0 as the price of his grain. In this way the poor zamindar will suffer very much. The need of the zamindar does not consist only in the eating of *bhatta* (rice). He needs clothes, snuff and tabacco too. By the sale of his grains he has got to provide for all his needs those occasioned by death and birth too. Therefore the present amendment about this law should never be accepted. This law has already proved itself very harmful to the zamindars. There has been good deal of discussion on this matter, the Government should never interfere in it. With these words I strongly oppose this amendment and would submit that it should not be referred to a Select Committee.

Mirza M. A. Beg : Sir, perhaps some confusion has arisen in the discussion regarding this bill. Unfortunately this bill was put before the House in the last Srinagar Session under rule 48 of the Rules of Business and Procedure by simply publishing it in the Government Gazette and so no formal permission for leave to introduce the bill was obtained. When we last opposed the motion for its reference to the Select Committee we moved that as the amendment touched the vital interests of the agriculturists so it should be circulated for eliciting public opinion. At that time we were told that we were simply avoiding its reference to the Select Committee and that this is a dilatory tactic adopted simply to put the bill to bed but now the public opinions have come before us and the Government will now realize that it is not only we but the country is also against the amendment.

Out of 303 Co-operative Societies 256 are against the introduction of this amendment and 107 are in favour. This goes to show that the majority is against the introduction of the amendment.

The Kashmir Times states that the only amendment which requires the public attention is the annexure to the Food Control Regulation, in which prices for purchase of Shali have been fixed by the Government. The Government now propose to delete this annexure and fix the purchase rate of Shali from time to time. If this proposal means that the sale price will also be comparatively reduced we have got no objection to the proposed amendment but if the sale price shall remain unaltered we cannot agree with the proposal. The Department is not supposed to make high profits since it was instituted as a concern of relief, pure and simple.

The Vakil is perfectly justified in holding that the proposed amendments are calculated only to benefit the Government and are likely to prove harmful to the zamindars. The paper states that it is quite unjust to obstruct the freedom of trade and desires that the bill should not be passed.

The Public Bodies and Anjuman-i-Hamdard Islam, Srinagar is of opinion that any further reduction would amount to injustice because the zamindars cannot at present find any market for their surplus produce. They are already quite helpless and reduction in prices will involve them in greater difficulties.

The other public body "The Anjuman-i-Islamia Muzaffarabad" considers the bill highly detrimental to the interests of the zamindars and is of the opinion that it should not be passed.

Unfortunately the Minister-in-charge has ignored the public opinions and has decided to proceed with the bill. If you analyse the public opinions you will see that the opinions against the measure have come from those parts which are affected by this bill and they are all against the introduction of this amendment. These all are the *Mujawaza* Illaqa who have opposed the bill. For instance Badgam, Anantnag, Kulgam etc. etc. If the Government were seriously to consider this point and see that only parts of non-*Mujawaza* Illaqas are for the bill and the *Mujawaza* Illaqas are against it will surely find it wiser to withdraw the bill.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This is not the bill but it is an amendment to a bill which already exists in the Statute Book. No new bill is being introduced.

MIRZA M. A. BEG : Coming to the amendment proper, Sir, I will submit that the amendment proposed is to delete the annexure in which prices of Shali have been fixed by the Government and the Government now wants to fix the purchase rate of Shali from time to time. It appears that the object of introducing this amendment is to adjust the Srinagar prices of Shali with Mufassil prices of Shali. The Government desires to introduce such bill by which Srinagar prices will be kept variable in response to the Mufassil prices. The object of the Regulation will surely be defeated by this. The amendment will surely defeat the object of the Regulation as I have stated. Section 2 of the Regulation provides that the Director of Food Control Department shall purchase Shali with the object of stabilizing prices whereas the amendment aims at keeping them variable. This is irreconcilable and the Hon'ble Member-in-charge of the bill has not enlightened the House how the object of the Regulation will stand.

It appears that the Food Control Department has been tempted by the low level of the prices now obtaining in the Mufassil market and they try to make the Srinagar prices, in response to them, variable as far as possible. The sole justification for this is that according to the Food Control Department the Mufassil prices are market prices but if you see carefully you will be convinced of the fact that the prices now obtaining in the Mufassils are not the 'market prices' strictly but only the resultant of the action of the Food Control Department itself and as such the prices can never be termed as market prices. I will refer the Hon'ble members to Section 5 which authorises the Director of Food Control Department to prohibit, restrict or control the import of Shali into the Municipal limits of Srinagar city or the transport within the Kashmir Province of Shali or rice (including any preparation thereof) by any person or persons without the authority of permission of the said Director. The section is now in operation and has left a huge surplus in the hands of the zamindars in Mufassil resulting in the heavy fall in the prices of Shali. Those who say that the prices obtaining in the Mufassils are market prices are not correct when we bear in mind that the prices are governed by the action of the department in an arbitrary manner. Market prices strictly speaking are those which are the result of the operation of free market forces. If the import ban is lifted free mobilization of Shali affected, and such market prices rendered therby possible we shall then have no objection to the amendment now before the House. But as it is, we strongly object to the amendment. Under Section 5 the Department can take any action and can fix any price in the Mufassils. Last year at the time of Rabi revenue the Food Control Department decided not to make supplementary purchases. The result was that the surplus of Shali in the villages was accumulated and augmented with the result that the prices of Shali came down to Rs. 1-4-0 per kharwar as soon as this action of the Department was known I brought this fact to the notice of the authorities and pointed out that we were putting the peasants in a most pitiable condition by taking this action without any pre-information. On the one hand we had prohibited import of Shali into Srinagar on the other hand we were refusing to make supplementary purchases. This was not fair. I was, however, told that the matter was receiving continuous consideration at the hands of Government and it is still receiving consideration though seven months have passed since. Here is an instance of proverbial "*Hamdardana* ghaur" which matters of public welfare are receiving at the hands of the Government. But this is only by the way, Sir.

Like a powerful bank which by its policy of interest rates can control the money market, the Food Control Department has got

the power to fix the Shali price in the Mufassils at any level and since the Food Control Department is a buyer, it will always be governed by the tendencies and propensities of buyer namely to pay the minimum price possible. It will thus be seen that the amendment, if carried, will be suicidal to the peasants.

Some justification for reducing the prices is sometimes found in the fact that due to general depression, the price level has fallen but the study of index numbers will reveal the fact that the prices of motorcars, shoes, foreign tweed etc. may have fallen but the prices of tea, salt, coarse-cloth are practically the same they were 5 years back. Thus the commodities which form peasants' necessities of life are practically the same as before. Therefore no justification for reducing his income by reducing the price of his commodity, namely Shali.

I have briefly stated the reasons for opposing the amendment. I hope the Government will reconsider the whole situation and advise the Member-in-charge to withdraw the bill.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Sir, the amendment to the Regulation for Food Control is now before the House. I would submit that the object of this Regulation was that the rates for sale of Shali should be fixed at a time when the price of Shali was very high in the valley. The price was, therefore, fixed by keeping the then market price in view. Now, not only in Kashmir, but in the Punjab and adjoining provinces too, the prices of grain have fallen very much. The effect of this fall in prices has been that in Srinagar Shali is sold at the rate of five rupees, while it can be imported into the city at the rate of two rupees or two rupees and four annas. It is therefore that there is smuggling of grains into the city and the Government has naturally got to face some difficulties. There is no reason why Shali should be purchased at the old rates when the general prices are low now. It is the principle of the Government to change prices as per supply and demand. The object of the amendment is not the making of a sudden decrease in prices. No amendment has been moved to the effect that when once prices have been fixed these should not be changed. There should not be any doubt of the nature that this amendment is being proposed against the interests of zamindars. Prices of Shali are being reduced by keeping in mind both purchases and sales.

Now let us consider the different opinions that have been received from outside. Even among these the opinion of the Anjuman-i-Hamdard-Islam Srinagar, is as follows :—

> "It is somewhat reasonable to reduce the prices fixed for various Ghats by 5 per cent. but any further reduction

would amount to injustice because the zamindars cannot at present find any market for their surplus produce. They are already quite helpless and reduction in prices would involve them in greater difficulties''.

It cannot be definitely stated how much decrease or increase will be made keeping all these things in view, the amendment will be referred to a Select Committee, and that Select Committee will consider it. If there is any decrease or increase the Select Committee will see to it and it will decide every thing.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Members who desire that this amendment be referred to a Select Committee, will please write 'Yes'. Those who are against its being sent to a Select Committee will please write 'No', on the voting papers.

Motion for Select Committee carried by 41 to 23.

A BILL TO AMEND POSSESSION TAX RULES.

Draft Amendment.

Whereas it is expedient to amend the rules regarding the recovery of possession tax on motor cars and motor cycles published in the Government Gazette dated 9th Chet 1990, with a view to provide for the grant of refund of the tax recovered on such vehicles as may be sold or exchanged after recovery of the possession tax due thereon, it is hereby enacted as follows :—

The following shall be added as rule 7 to the Possession Tax Rules :—

''In cases where the owner of a motor car or motor cycle after he has paid possession tax due on it sells, transfers or exchanges it or replaces it by a new one, such owner of the vehicle will be granted refund of the amount paid by him after deduction of the amount due for the period for which the vehicle was in his possession provided that :—

(1) The owner informs the Inspector of Customs and Excise concerned that he has sold, transferred or exchanged or replaced his motor vehicle and also intimates to him the date of sale, transfer, or exchange made, as the case may be, and the name and the address of the purchaser or new possessor.

(2) The claim for refund is submitted within three days of the sale, transfer or exchange made.

This rule will have retrospective effect on pending cases.

Statement of Objects and Reasons.

No provision exists at present in the Possession Tax Rules for grant of refund of the amount of possession tax recovered on such vehicles as are sold, transferred or exchanged after the possession tax due thereon has been paid. Under the existing rules possession tax is necessarily recovered from a person on the vehicle possessed by him but when he sells it or exchanges it possession is again recovered on the vehicles newly purchased by him. In this way he is required to pay tax on two vehicles although he has at no time more than one vehicle in his possession. As this causes hardship to such owners it is necessary to make provision in the law to remove the difficulty. The bill is therefore submitted for sanction and when sanctioned will take effect retrospectively as regards the claims received hitherto.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : In accordance with Section 38 of Regulation No. 1 of 1991 this amendment is being presented before you. No resolution, amendment or question has been moved or asked about it. Therefore it will be reported as it is, to the Council.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Next Bill !

THE JAMMU AND KASHMIR FOREST REGULATION AMENDMENT BILL.

Whereas it is expedient to amend the Jammu and Kashmir Forest Regulation No. 2 of 1987, it is hereby enacted as follows :—

(1) In Section 2, clause 6—

Add the words "cows, bullocks", between the words buffaloes" and "Horses".

Statement of Objects and Reasons.

Like other cattle, bullocks and cows trespass frequently into demarcated forests causing a lot of damage to the new growth. As the Forest Regulation, as it stands at present, does not include these

animals in the definition of cattle, great difficulty is being experienced by the Forest Department in dealing with such cases, although the Cattle Trespass Regulation No. 8 of 1977 does provide for impounding bullocks and cows as well. In the interests of Forest preservation it is necessary that the omission of cows and bullocks in the existing provisions of the Forest Regulation may be rectified.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Sir, this bill has been published in the Government Gazette as per Rule 48. Its aims and objects have also been stated therein. I, now move that this bill be taken into consideration at once, because it is merely a reformatory measure. Like other cattle, cows and bullocks also enter into demarcated forests. In the definition of the 'cattle' cows and bullocks have not been included. Therefore this bill is moved so that cows and bullocks may also be included in the definition of 'cattle'.

SARDAR BUDH SINGH : What is Section 2?

NOTE.—The Praja Sabha Secretary read out Section 2, from the Forest Regulation No. 2 of 1987 the relevant portion of which runs as under :—

"Cattle includes elephants, camels, fillies, mules, asses, pigs. rams, eves, sheep, lambs, goats and kids"

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : That is cows and bullocks have not been included in this and may please be included now.

MIAN AHMED YAR : Sir, this bill has been put before the House by the Hon'ble Revenue Minister to amend the Forest Regulation. The object if it is to add cows and bullocks to the list of cattle in the bill. I want to oppose this resolution and submit as follows.

Cows and bullocks have since times immemorial been considered sacred in this land. The destruction of these animals is prohibited by law. According to their Shriat and their cultural rules Muslims are also bound to respect the sentiments of their neighbouring communities. It is because of this that the Muslim population of the State forbid the destruction of such animals even when they cease to work. It is therefore necessary that both these sacred animals should be exempted. When this law (the Forest Regulation) was framed, the Government kept these very points in mind and did not include these animals in the definition of 'cattle' because even when these animals become weak their owners have not got the right to destroy them. Therefore this concession about these animals has been made by the Government so that they may at

least have some grazing facility. I am sorry that this bill should have been presented today by a Brahman Minister (Cheers). Lord Krishna was a protector of cows and His teachings exhort kindness to animals. Therefore in my opinion this amendment should not at all be passed (Cheers). I do not want to enter into details about this topic. I hope the respected pensioners who are present, must, because of their experience of State service, be aware of the circumstances because of which, these animals were exempted when this law was framed. As pensioners we count them as being in our ranks in the House. They will now throw some light on and explain clearly the circumstances in which the Government exempted these animals at first. Therefore I oppose the motion for the passing of this amendment.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Sir, I have listened to all that has been said in the House. I would now like to say only that the object of bringing this bill into the House was that like other animals these also are a source of loss. I think if these animals enter anybody's field and destroy the crop, it is possible there will then be no expression of any sacred feelings. But if the majority is unanimous in its present opinion about the bill the Government is prepared to withdraw it. (Cheers)

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Members who are in favour of the withdrawal of this bill will please raise their hands.

NOTE.—Hands were raised.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The bill is withdrawn with the permission of the House.

The Praja Sabha then adjourned till 4th April, 1936 (Saturday).

JAMMU AND KASHMIR PRAJA SABHA.

Saturday the $\frac{\textit{4th April, 1936}}{\textit{23rd Chet, 1992.}}$

The Praja Sabha met in the Praja Sabha Chambers in the Pink Hall Jammu at Eleven of the Clock. Mr. President (The Hon'ble Sir Barjor Dalal Kt.) in the Chair.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Members of the Praja Sabha ! It is with profound sorrow that I inform you all of the death of Choudhari Chattar Singh. It is for the first time today during the last one and a half years that we mourn here the loss of a friend and a colleague.

The deceased was a Rais and as Governor he had enough experience of State service. He could, therefore, take a prominent part in all the matters, in the Praja Sabha. Only last week he spoke in this House. Yet today he is no more. That is the goal of our life in this transitory world. May God grant peace to his soul.

On your behalf I am sending a condolence letter to his family. I hope you will all stand and pass this.

QUESTIONS AND ANSWERS.

568. SARDAR BUDH SINGH (Mirpur-Poonch : Sikh) : (*a*) Is it a fact that the Jammu and Kashmir Government had decided on the construction of a road from Uri to the boundary of the State as soon as a motor road was provided upto the confines of Illaqa Poonch ?

(*b*) If the answer be in the affirmative, why is the construction of Uri road not taken in hand when the construction of the road upto the confines of Illaqa Poonch is stated to be nearing completion ?

(*c*) Do Government know that the construction of a road from Mirpur to Poonch will not be profitable unless it is linked to Uri ?

(*d*) Do Government know that the non-construction of a road from Uri to the boundary of Poonch will result in the wastage of money spent on the Poonch road ?

No. THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*)

(*b*) Does not arise.

(*c*) No.

(*d*) No.

SARDAR BUDH SINGH : Does the reply to part (*c*) of my question mean that this money will not be wasted?

THE HON'BLE MR. WAJAHAT HUSSAIN : It means that there will be no loss.

SARDAR BUDH SINGH : This has also been proved by the experience gained during the last disturbances. Why then is it not considered important?

THE HON'BLE MR. WAJAHAT HUSSAIN : Each head-quarter in the State has not got a telegraph office.

SARDAR BUDH SINGH : I am talking of Poonch. Bagh is at a distance of 35 miles, and there is no telegraph office there. The question is whether it is not more important when compared to other necessaries?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes, it is.

569. SARDAR BUDH SINGH : (*a*) Is it a fact that there are no telegraph offices at the Tehsil head-quarters in Illaqa Poonch and on account of their absence information cannot reach in time?

(*b*) If it be a fact, will Government provide a telegraph line in the interests of administration when the means of communication are extremely difficult?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) I regret the reply is in the negative as there are more important works requiring our attention.

570. MOULVI MOHAMMAD ABDULLA (Shah Hamdan-Srinagar City :Muslim) : Is it a fact that Mr. B. D. Nanda, Divisional Engineer, Baramulla called tenders on the 15th December 1935, for the supply of 40 tons of tar-coal and did not open the tenders on

the due date although the contractors were present on spot and then he again issued a notice under his No. 2754, dated the 12th December, 1935, calling tenders on the 6th January, 1936 for the supply of 40 tons of tar-coal, with the intimation that the previous tenders were returned without being opened, but again he did not open the tenders on the 6th January, 1936, although the contractors were present and placed an order to supply 65 tons of tar-coal, instead of 40 tons with Messrs Metal Mart, Srinagar on the 14th January, 1936, although he had received the order of his transfer on the 11th January, 1936.

Will Government call the explanation of the said officer for such irregularities and partiality and will they cancel this big order which has been placed under such irregularities?

If the answer be in the negative, the reasons may please be stated for acting against the commands of His Highness?

THE HON'BLE MR. WAJAHAT HUSSAIN : A complaint has been filed by Sardar Kanhaya Singh, Praja Sabha Sad. It is under investigation. I am sorry the investigation is not yet complete and no useful information can be supplied at present.

571. MAJOR MIRZA ATTA MOHAMMAD (Reasi :Muslim) : (*a*) Will the Hon'ble Revenue Minister please give the detail of the sum collected as Sanitation Cess? What amount of this sum has been spent on the villages of the Tehsils of Reasi District and what benefit have the zamindars derived therefrom?

(*b*) What amount has been specified for Reasi District for this purpose?

(*c*) Will the Hon'ble Revenue Minister be pleased to appoint managing committees for spending this sum on suitable purposes in the Tehsils and Districts under his control? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) The Member Praja Sabha is referred to answer to Q. D. No. 468 of Srinagar Session 1935. Proposals of the current year are under consideration. Nothing has so far been spent on Reasi District as no proposal has been received so far.

(*b*) No amount has been specified in absence of any indent of requirements.

(*b*) The Revenue officers are already considering ways and

means of improving sanitary and drinking water facilities all over Jammu.

MAJOR MIRZA ATTA MOHAMMAD : Will the officers be asked to pay any attention?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Attention will be paid by officers where necessary.

MAJOR MIRZA ATTA MOHAMMAD : Has any committee been set up?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : There is no need of a committee. The attention of the officers will be drawn to it.

MAJOR MIRZA ATTA MOHAMMAD : Do you mean that a committee cannot be set up?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Yes.

572. MAJOR MIRZA ATTA MOHAMMAD : (*a*) Are Government aware that the Divisional Forest Officer auctions the contract of the dry wood which the zamindars of Rajouri bring and sell as firewood?

(*b*) Will Government, keeping in view of the loss thus caused to the zamindars, be pleased to discontinue the auctioning of these contracts and thus remove this trouble of Rajouri people?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes, as zamindars are permitted to remove firewood for bonafide domestic use and not for sale *vide* paragraph 1 (*a*) of the Jammu and Kashmir Forest Notices.

(*b*) Does not arise.

573. MAJOR MIRZA ATTA MOHAMMAD : (*a*) Will Government please place on the table a Tehsilwise statement of births and deaths of Reasi District?

(*b*) Have Government considered the cause of the excessive rate of mortality?

(*c*) If so, what preventive measures have been adopted in this matter, so far?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) The statement is attached. It gives monthly figures of births and deaths for Reasi District. Tehsilwise figures are reported to be not available.

(*b*) and (*c*) The rate of mortality is not excessive as the following figures will show :—

		Births.	Deaths.	Mortality rate per cent. of population.
Jammu City	District exclusive of ...	10,990	8,284	2·5
Kathua	...	5,418	4,350	2·7
Mirpur	...	12,804	8,190	2·4
Udhampur	...	8,872	7,954	3·0
Reasi	...	6,469	5,457	2·3

Statement showing deaths and births of Reasi District for the year 1991-92.

Name of month.		Births.	Deaths.	Remarks.
Katik	1991 ...	596	557	
Maghar	,, ...	394	370	
Poh	,, ...	454	509	
Magh	,, ...	568	767	
Phagan	,, ...	574	585	
Chet	,, ...	572	476	
Baisakh	1992 ...	643	464	
Jeth	,, ...	677	477	
Har	,, ...	607	351	
Sawan	,, ...	533	353	
Bhadon	,, ...	466	254	
Assuj	, ...	385	294	
	Total ...	6,469	5,457	

574. MAJOR MIRZA ATTA MOHAMMAD : (*a*) Are Government aware that Jammu and Kashmir State is an agricultural country and that agriculture is an important matter with the Government?

(*b*) Are Government also aware that 80 per cent. or more of the population of the State are zamindars?

(*c*) Under these circumstances, is it not likely that on account of the sale of the lands of the zamindars of Reasi District in execution of money decrees, this Illaqa which is almost wholly populated by zamindars and cultivators, will be ruined? Will not the zamindars be thus reduced to nomads?

(*d*) If the answer be in the affirmative, have Government comprehended their loss and will they, for the good of the country, discontinue this system of auctioning lands? If not, why?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : Government are aware that this State is an agricultural country to a large extent and most of its people are engaged in agriculture.

(*b*) The Government do not understand how the zamindars will be ruined by sale of agricultural land by one zamindar to another because only agriculturists can purchase the property of an agriculturist.

(*d*) It is not understood how decrees can be executed if lands are not to be auctioned.

575. LALA SHIV NATH NANDA (Srinagar City :Hindu other than Kashmiri Pandits) : Is it a fact that the Harijans are living in Jammu since the reign of the late Shri Maharaja Gulab Singh Ji?

Is it a fact that ground-rent will be charged from them for residential houses? If the answer be in the affirmative, will Government taking pity on these poor Harijans, please exempt them from this ground-rent?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Government has no information about the exact period of their settlement. They have been living from a long time.

No.

If the Member Praja Sabha is referring to the lands of Harijans living in Rehari Mohalla of Jammu he may note that Govern-

ment has granted concessions sufficient enough in their case. Their title was found to be that of a tenant-at-will, but they have been treated as *Wasidars* on a nominal rate of ground-rent.

LALA SHIV NATH NANDA : I had not at all mentioned Rehari?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : More than the required information has already been given. The Government has no information. These people have been living there for a long period.

Part (*b*).—No.

LALA SHIV NATH NANDA : No reply has been given to the last sentence?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : I have already informed you that the reply to part (*b*) is in the negative *i. e.* no ground-rent has been imposed.

576. LALA SHIV NATH NANDA : Is it a fact that on the complaint of Messrs Shahzadanand and Sons, Amritsar, Mirza Zafar Ali Khan, the then Development Minister, wrote to the Hon'ble Prime Minister on 17th March, 1932 for the enquiry to be made through Thakur Kartar Singh Ji, the then Governor Kashmir, against the Director Silk Factory and regarding precautionary steps against a loss of several thousands of rupees which the Minister concerned apprehended?

If the answer be in the affirmative, will Government please state as to what action has been taken thereon?

If the answer be in the negative, reasons may please be stated for being inactive in this behalf.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*i*) The Revenue Minister has not been able to lay hands on such a reference.

(*ii*) and (*iii*) Do not arise.

LALA SHIV NATH NANDA : Could the Hon'ble Minister not procure the information from the office of the Hon'ble Prime Minister.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : There need be no discussion about this. All the information that we had has been laid on the table.

LALA SHIV NATH NANDA : I do not say that the information has not been given.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : An enquiry will be made from the office of the Hon'ble Prime Minister.

577. LALA SHIV NATH NANDA : Are Government aware that in Wazarat Jammu amount of about ninety thousand rupees of *Abiana* including the arrears since the opening of the canal is still lying due?

If the answer be in the affirmative, will the Hon'ble Revenue Minister please state as to what steps will be taken for the recovery of such a heavy amount and what are the reasons for not recovering it so far?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes. The Public Works Department is responsible for assessment of *Abiana* only. The realization thereof is being made by the Revenue Department like land-revenue.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*ii*) Over 50 per cent. of the arrears are owing from State and other allied Departments such as Dharmarth and the rest from the zamindars.

The recoveries fell into arrears partly because the local Revenue Staff was overworked and partly on account of slump in trade and fall in the prices. Proposals have been received and are under consideration for affording relief to the local staff. Vigorous measures are being adopted for clearance of the liability at an early date.

578. LALA SHIV NATH NANDA : Are Government aware that since the reign of the late Maharaja Bahadur there has been a Hindu Ghat adjacent to Baba Narad Ji Temple specified for the purpose of bathing for Hindus of the place ; that there was a board hung up the wall of the Ghat with the words "Hindu Ghat" and that some time ago, the Municipality having demolished it, has turned it into a passage for the loading and unloading of boats with goods on account whereof the Hindus are put to a great inconvenience in the matter of bathing?

If the answer be in the affirmative, will Government specify this Ghat for Hindus as before?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : There is a bathing Ghat at this place. But

there is no record available to show that it was reserved as a Hindu Ghat.

579. WAZIR GANGA RAM (Reasi :Hindu) : (*a*) Is it a fact that in Reeasi District *Nautor* cultivators are being ejected from the areas reclaimed after 1982 and that Government are realizing the price of trees planted by the zamindars themselves?

(*b*) Do Government know that this action of the Government has caused grave discontent throughout the Illaqa?

(*c*) Will Government please state the extent of area from which the *Nautor* cultivators have been ejected by this time and the amount realized from the zamindars as price of trees?

(*d*) Will Government, in view of the hardships of the zamindars, restore to them the possession of such areas and the price realized? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes, as the zamindars had no right over *Najaiz Nautor*.

(*b*) Government have no such knowledge.

(*c*) This information could not be collected within the time available as figures have to be collected from the records of the villages of the whole district.

(*d*) Khalsa lands illegally encroached upon cannot be restored to *Najaiz Nautor Kunindas*. If any zamindar wants Khalsa land for cultivation he can apply under the grant of State Waste Land Rules.

580. WAZIR GANGA RAM : Is it a fact that the head-quarters of Tehsil Basohli are not situate at any central place of the tehsil but rather it is situate on one end of the State, on account of which the inhabitants have to face great troubles in reaching the head-quarters and in view of this Munshi Ghulam Ahmed the late Revenue Minister realizing these difficulties of the inhabitants of the Illaqa, had proposed for shifting the head-quarters of the tehsil to some central place?

If the answer be in the affirmative, will Government consider the question of removing this longstanding complaint of the inhabitans of Tehsil Basohli?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *Part* 1.—Yes.

Part 2.—No such proposal is forthcoming from the records. It is the only important town in the whole tehsil, adjoining the border of British territory and Chamba State and it shall, therefore, on political and historical grounds continue to be the headquarters of the tehsil. Such inconveniences are natural and cannot be helped.

581. WAZIR GANGA RAM : (*a*) Is it a fact that the Divisional Forest Officers auction the trees and the drift wood without informing the zamindars about it?

(*b*) If the answer to (*a*) be in the negative, will the Hon'ble Revenue Minister please state as to how much of such wood has been auctioned in District Reasi during the last two years and state for the information of the zamindars as to what action has been taken in Illaqa Bhajag and hilly villages above that?

(*c*) If the answer to (*a*) be in the affirmative, will the Hon'ble Revenue Minister please state as to why the zamindars have not been allowed to benefit fully according to Government orders by this concession?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No. No auction is held without giving wide publicity and the zamindars are not debarred from bidding.

(*b*) At the time of auction no distinction is made between zamindars and non-zamindars and no such record is kept for auction sale of timber at full rates. The zamindars of Illaqa Bhajag and the hilly villages above that are informed through local Forest Subordinates.

(*c*) Does not arise.

582. WAZIR GANGA RAM : (*a*) Is it a fact that there is no pasture for the cattle of Jammu city in the absence of which the cattle of the inhabitants of Jammu city are undergoing great hardships?

(*b*) If the answer to (*a*) be in the affirmative, will Government grant some reserved pasture for the cattle?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) No grazing tax is levied in Jammu city and the Government is not bound to allot area for the purpose. Still to remove the complaint, the Revenue officers are investigating into the possibilities of alloting a suitable area for the purpose.

583. SHEIKH MOHAMMAD AMIN (Jammu City :Muslim) : (*a*) Will Government please place on the table a statement showing the number of such persons in each tehsil who were granted certificates of being agriculturists under Regulation No. 10 before the enforcement of the present Alienation of Land Regulation and have been excluded under this Regulation from the list of agricultural classes?

(*b*) Will Government please also state whether such persons of non-agricultural classes are purchasing lands from the agricultural classes by virtue of such certificates of being agriculturists previously obtained?

If the answer be in the affirmative, are Government prepared to cancel the mutations effected on account of such purchases of land, declaring these purchases to be unlawful. If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The collection of the requisite data will involve unnecessary time and labour and serve no useful purpose, as will be evident from the replies to part (*b*) below.

(*b*) *1st part.*—No. Only such persons as had obtained certificates of hereditary agriculturists prior to Samvat 1984 can purchase land from agriculturists under the provisions of the law.

2nd part.—Does not arise. In cases of persons who had obtained certificates of hereditary agriculturists, their status is recognised by law and acquisition of agricultural land by them is not unlawful.

584. SHEIKH MOHAMMAD AMIN : Is it a fact that there is no medical group in the Prince of Wales College Jammu, for the students of Jammu Province?

If the answer be in the affirmative, when do Government in order to remove this drawback in the interests of the students of Jammu Province intend to open such a class in Jammu College? If not, why.

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Yes. The question will be considered when financial conditions of the State are better.

585. SHEIKH MOHAMMAD AMIN : Are Government aware that under section 29 of the Customs Regulation, the powers of the Deputy Inspectors, Customs Department are limited to try cases of smuggling upto Rs. 2 only, by reason of which persons from distant Illaqas accused of smuggling goods subject to the payment of customs duty more than Rs. 2 have to be present in the court of the Inspector, which is very troublesome and expensive.

If the answer to the above question be in the affirmative, are Government, in order to remove this trouble of the public, prepared to invest the local courts with powers to try cases in which the customs duty involved is more than Rs. 2.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Deputy Inspectors are invested with powers to try cases upto the duty limit of Rs. 2.

Government is not prepared to invest any courts other than the courts of the Customs Department with power to try any such cases, but the question of enhancing the existing powers of Deputy Inspectors will receive consideration.

586. HAJI AHMEDULLAH SHAHDAD (Tashawan-Srinagar City :Muslim) : Will the Hon'ble Judicial Minister be pleased to state :—

(*a*) The sum collected as Registration fee in the Jammu and Kashmir State.

(*b*) The total amount of such fee charged from Muslims? and

(*c*) The total amount of such fee charged from non-Muslims?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : The reply to this question is not yet ready and will be communicated to the member in the next session of the Praja Sabha. The question requires the collection of information from various courts.

587. HAJI AHMEDULLAH SHAHDAD : Will the Hon'ble Finance Minister be pleased to state whether Pandit Satya Lal, *Ex*-Inspector Co-operative Societies was suspended under the charge of accepting bribe and that he has now been appointed as Superintendent in Wazarat Anantnag?

If so, what are the facts justifying his re-appointment?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Pandit Satya Lal was suspended on charges of corruption and fictitious work etc. An enquiry was instituted in his case and he was provisionally re-instated by the Registrar. He resigned thereafter, and his resignation having been accepted he is said to have taken up employment in the Revenue Department. He has again been suspended by the Hon'ble Revenue Minister pending report on certain charges about which the enquiry had not been completed at the time of his provisional re-instatement.

588. HAJI AHMEDULLAH SHAHDAD : (*a*) Is it a fact that the Government knows that there is more trade with Ladakh than with Jammu and that inspite of this, no arrangement has been made to provide good road to Ladakh with Sarais telephone connections etc?

(*b*) If the answer be in the affirmative, when will Government, keeping in view the extent of trade, provide the necessary requirements?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) and (*b*) The P. W. Department is not in a position to say anything about this. A good fair weather road to Ladakh already exists under the control of British Joint Commissioner Ladakh.

589. HAJI AHMEDULLAH SHAHDAD : (*a*) Will the Hon'ble Home Minister be pleased to state how many applications for obtaining water-pipe connections are pending in the Water Works Department, Srinagar?

(*b*) Why have they been kept pending and when will water-pipe connections be granted?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Nine applications for private pipe connections are pending in the Sanitary Sub-Division.

(*b*) : Action for giving connections is being taken.

590. COLONEL ABDUR REHMAN KHAN (Udhampur : Muslim) : (*a*) Will Government please state whether a regular or a fluctuating grazing fee is charged for ponies, bullocks used for carrying loads and bullocks used at oil presses?

(*b*) Since what year it has been held to be due?

(*c*) In what manner is it realized from permanent settlers and in what manner from temporary settlers *i. e.* what difference has been observed in this behalf between the nomads and the proprietors?

(*d*) Are Government prepared to turn this fluctuating fee into a regular one?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) From graziers falling under class A of the Kahcharai Fee Rules, fixed fee is realized, whereas from other graziers fluctuating charge is made.

(*b*) The question is not clear but it may be mentioned that the fixed fee was settled at the last Settlement, which was completed for different tehsils at different times. The fluctuating charge is being levied from the date of the enforcement of the existing rules.

(*c*) The fixed fee is realized by the Lambardars at the time of the collection of land-revenue whilst from nomads fee is collected by the Grazing Staff, according to the prescribed scale.

(*d*) There is provision in the draft Kachcharai Regulations for commuting part of the fluctuating grazing fee into fixed Kahcharai and action will be taken when the bill is passed. As regards the general question, the reply is in the nagative.

COLONEL ABDUR REHMAN KHAN : Are the fluctuating and the regular grazing fees charged at the same rates?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : A definite sum is specified as regular grazing fee. The deficit is charged on the village bullocks at the same rate.

COLONEL ABDUR REHMAN KHAN : My question is whether the fluctuating and the regular grazing fees are realized at the same rate *i. e.* whether the same rate is charged for the horses and the bullocks.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This is done according to the Kahcharai Rules.

COLONEL ABDUR REHMAN KHAN : Where are those rules provided?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : These rules have been provided. They are also to be found in Volume I of the Revenue Regulation.

591. COLONEL ABDUR REHMAN KHAN : (*a*) Are Government aware there is no arrangement at the Revenue and Judicial Courts of District Udhampur, to protect the litigants as against the rains and the heat of the sun, during rainy season and summer respectively, on account of which the subjects have to face great inconvenience on both of these occasions?

(*b*) Do Government intend to get constructed a building adjacent to the courts, whereby the litigants may be saved from all this inconvenience?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : An enquiry is being made and steps will be taken to remedy the difficulty pointed out by the member.

592. COLONEL ABDUR REHMAN KHAN : Has the Hon'ble Judicial Minister received any application from the zamindars of District Udhampur, requesting that the local Sub-Judge, Udhampur be invested with powers under bankruptcy law, so that the zamindars of District Udhampur may be saved from the inconveniences that they have to undergo in undertaking a long journey up to Jammu for conducting their cases?

If the answer be in the affirmative, what action has been taken on that application?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : The reply to the first part of the question is in the affirmative.

A report was called for from the High Court who communicated its opinion that the number of insolvency cases pertaining to Udhampur Tehsil did not warrant delegation of powers to the Sub-Judge under the Insolvency Procedure Rules.

The matter will be reconsidered when an Insolvency Regulation is enacted for the State.

593. COLONEL ABDUR REHMAN KHAN : Has the Hon'ble Judicial Minister received any application from the zamindars of the villages Hertaryan, Seemi, Manda etc. of Tehsil Reasi requesting that these villages are situate at a distance of four or five miles from District Udhampur, and at a distance of forty and forty-five miles from Reasi, and that, therefore, they may, for the purposes of the trial of the civil suits and criminal cases, be placed under the jurisdiction of Udhampur Court?

If the answer be in the affirmative, what action has been taken of this application?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : No such application has so far been received by the Judicial Minister.

Inquiry is being made on the basis of the member's question and on the completion of the inquiry, proper orders will be passed.

594. KOTWAL LAKHMI RAM (Udhampur :Hindu) : There is great scarcity of drinking water in the Ramnagar Town?

Will Government make arrangements for water-taps? If so, when?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No proposals have so far been received from any quarters. Action will duly be taken when funds are available.

595. KOTWAL LAKHMI RAM : The roads and the paths of Illaqa Paddar, Dehijan etc. under Public Works and Revenue Departments, are in a very wretched condition.

Will Government get them repaired? If so, when?

Part I.—Government has no particular information on this point. It is a difficult and expensive job to keep hilly paths in good condition.

Part II.—Revenue roads are repaired in their order of urgency. Governor Jammu is being asked to include provision for repairs to Padder, Dehijan roads in the next year's budget.

596. KOTWAL LAKHMI RAM : Are Government aware that in Bhadarwah Tehsil *Shamilat Deh* has not been kept in proportion to the cultivated area as is required by the rules.

Why no step is taken to make good this deficiency?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *Shamilat Deh* has been allotted under rules in all the villages of the Bhadarwah Tehsil in proportion to the cultivated area, wherever Khalsa lands for the purpose were available.

597. KOTWAL LAKHMI RAM : (*a*) Are Government aware that restrictions regarding the cultivated chak area situate within the forests in Tehsil Bhadarwah are under consideration?

(*b*) The cultivated area being very small in this tehsil, will Government issue orders for stopping this consideration, and for not ejecting the zamindars from any area assessed to land-revenue?

(*c*) Will Government please also order that the demarcation of the *Shamilat* may be made by fixing the pillars of the internal chaks at a distance of 15 karams away from the assessed area?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The Forest Department contemplate acquiring cultivated chaks in question situated in demarcated forests for plantation of Deodar sapplings.

(*b*) The matter is still under consideration. If however, it is finally decided to acquire the plots in the interests of State Forests, the *Chakdars* will be duly compensated under rules.

(c) *Shamilats* have to be allotted for villages and Patties as a whole and not for individual patches of cultivation. Besides the boundary pillars are fixed by the Forest Department in accordance with their rules which have been framed to safeguard the interests of the Forest Department as well as of the zamindars.

598. CHOUDHARI ABDULLAH KHAN (Jammu Wazarat : Muslim) : (*a*) Will Government please state whether the economic condition of the zamindars has improved or deteriorated on account of the Co-operative banks during the last 20 years?

(*b*) Does the common debtor of the co-operative bank, on an average, pay its debt in time? If not, why?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) The economic condition of zamindars cannot be improved exclusively by the Co-operative Movement. But the Co-operative Department including Co-operative Banks has contributed its own share to the economic well-being of zamindars and the Reserve Fund of over Rs. 19,00,000 at the credit of the Rural Co-operative Societies is an evidence of such improvement.

(*b*) The question is vauge. The Department tries to ensure timely repayments by the zamindars and if such repayment is not made in time the responsibility of failure lies elsewhere.

CHOUDHARI ABDULLAH KHAN : I do not mean to ask whether the position of the bank has or has not improved, or again whether rupees twenty lacs have or have not been spent? I mean to ask as

to what was the condition of the zamindars when this bank was set up and what is its condition now?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The object that was in view in opening the banks has been fulfilled to a large extent. The condition of the zamindars has improved much since then. The people have benefited a good deal.

CHOUDHARI ABDULLAH KHAN : When a society is set up, stock is taken of the debts of its members. Can you name a few societies the position of which has considerably improved.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This is no discussion. It is a question.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The condition of the zamindars is much better now. But if you mean to say that debts should not be paid off it is a different thing. (Laughter)

599. CHOUDHARI ABDULLAH KHAN : (*a*) Is it a fact that most of the employees of the Co-operative Department are non-zamindars or such as have little sympathy with the zamindars? If so, will Government henceforth employ zamindars or such persons as have sympathy with zamindars, in the said department?

(*b*) Will Government please state, giving detailed facts and figures, whether the Co-operative Movement is progressing or declining as compared with the past?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) No. Second part of the question does not arise.

(*b*) The following figures will show that the movement is steadily progressing.

Statement showing number of societies, members and working capital.

Year	No. of Societies.	No. of Members	Working capital.
			Rs.
1979-80 ...	997	21,019	29,66,580
1980-81 ...	1,277	25,061	37,21,446

Year.	No. of Societies.	No. of Members.	Working capital.
			Rs.
1981-82 ...	1,363	27,214	41,38,426
1982-83 ...	1,675	34,529	48,27,583
1983-84 ...	2,167	44,031	61,39,557
1984-85 ...	2,402	50,241	67,56,985
1985-86 ...	2,716	57,100	78,93,608
1986-87 ...	2,916	63,364	89,42,782
1987-88 ...	3,085	67,607	97,99,595
1988-89 ...	3,126	68,154	1,01,85,944
1989-90 ...	3,220	71,860	1,05,25,510
1990-91 ...	3,317	77,921	1,06,77,985
1991-92 ...	3,363	79,845	1,00,50,786

600. CHOUDHARI ABDULLAH KHAN : Are Government aware that the condition of the Central Banks is going from bad to worse, for instance the Co-operative Central Bank Jammu has been for the last few years showing its dividend for every past year after adding to it the interest for the next year and is distributing it after such addition. If so, will Government please fight against untoward circumstances?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : No. The allegation is incorrect. Unrealized interest is not included in profits while declaring dividend, and the question of overcoming untoward circumstances does not arise.

601. PANDIT RAM CHANDRA DOBEY (Kathua :Hindu) : Will Government please place before the House a list of Government servants as have been retired during the last five years and whose pension cases have not been decided so far, and especially of the those Government servants whose pension cases are pending for more than 2 years?

What are the reasons for this?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : A list of retired Government servants for 3 years has already been placed on the table of the House at the last session of the Praja Sabha in reply to Question No. 80 supplementary of Sardar Budh Singh, Member Praja Sabha. The figures for 5 years including figures relating to retired officers whose pension cases have been pending for more than two years as now asked for can be supplied at the next session if so desired by the Member Praja Sabha. As already stated in reply to Question No. 57 of the session held in March, 1935, steps have been taken to avoid delay as far as possible and to minimise the hardships caused to pensioners by grant of anticipatory pensions. Monthly reports of pension cases outstanding in the Accountant General's office are scrutinized by the Accountant General personally and no avoidable delay is allowed to take place. Regarding delay in preparation of pension cases by heads of departments and office, urgent reference have already been made to Hon'ble Ministers in this connection and efforts are being made to complete pending cases as quickly as possible.

602. PANDIT RAM CHANDRA DOBEY : In Illaqas Kandi and Andhar of Jammu Province people are greatly suffering from diseases like Narwah, Gilhar and spleen disorders on account of the use of dirty water.

Are Government prepared to spend a sufficient amount from the Silver Jubilee Fund for the prevention of these diseases?

THE HON'BLE MR. WAJAHAT HUSSAIN : The Silver Jubilee Fund has already been allotted for the following purposes :—

		Rs.
1.	Tuberculosis Department ...	1,10,000
2.	Venereal Hospital ...	40,000
3.	Zenana Hospital Mirpur ...	25,000

PANDIT RAM CHANDRA DOBEY : Under Part "I" rupees one lac and ten thousands are in hand for the removal of these diseases. Can the Government spend something out of that sum?

THE HON'BLE MR. WAJAHAT HUSSAIN : No. Funds cannot be provided out of this sum.

603. PANDIT RAM CHANDRA DOBEY : Owing to drought the *Barani* crops in Illaqa Kandi of Jammu Province are greatly damaged for the last few years.

Will Government place before the House a statement showing the facts and figures regarding the *Kharaba* and the successful crops for the last six harvests?

Will it also be stated as to what amount of land-revenue will be suspended or remitted for each crop?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : A statement showing the area of *Pukhta* and *Kharaba* for the whole of the Jammu Province for six harvests from Rabi 1987 to Rabi 1992 is placed on the table as desired.

No remission or suspension was allowed as none was called for under the rules in force on this account. However a general remission of-/4/-in a rupee was granted in Maidani Tehsils and-/2/-in a rupee in the hilly Tehsils in 1988 on account of abnormal fall in prices.

Statement of Mature and Damaged Crops for Jammu to Province according to Girdawari for six harvests from Rabbi 1987 to Rabbi 1992.

Serial No.	Province.	Samvat 1987.				Samvat 1988.				Samvat 1989.				Samvat 1990.				Samvat 1991.				Samvat 1992.	
		Rabbi.		*Kharif.*		*Rabbi.*		*Kharif.*		*Rabbi.*		*Kharif.*		*Rabbi.*		*Kharif.*		*Rabbi.*		*Kharif.*		*Rabbi.*	
		Mature.	Damaged.	Mature.	Damaged.	Mature.	Damaged.	Mature.	Damaged.	Mature.	Damaged.	Mature.	Damaged.	Mature.	Damaged.	Mature.	Damaged.	Mature.	Damaged.	Mature	Damaged.	Mature	Damaged.
1	Jammu	4,53,946	68,758	6,40,201	97,120	3,74,932	1,06,907	6,86,336	58,688	4,67,563	77,754	6,32,829	1,12,136	4,64,960	50,273	6,77,378	70,516	4,34,773	61,244	6,35,211	91,116	4,71,568	61,901

PANDIT RAM CHANDRA DOBEY : The information provided is about the whole province. I had asked for the statistics of Illaqa Kandi only.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The statistics of the Kandi Illaqa could not be procured in so short a time.

There are such records in the Governor's office and from these, statistics can be compiled tehsilwise and chakla-wise. If need be, these can be sent for and placed on the table of the House.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : If you apply, these will be supplied.

604. PANDIT RAM CHANDRA DOBEY : There is a general complaint regarding the Judicial powers exercised by the Customs officers that these officers do not exercise such powers justly and that the subjects are treated very harshly?

Are Government prepared to consider the question of getting such matters decided by Judicial courts? If not, why?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The member's attention is drawn to the reply already given to Question No. 9.

PANDIT RAM CHANDRA DOBEY : Is it proper to make similar rules here as apply to sea-ports. Our customs posts are quite different from those ports.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The punishment here is lesser in comparison.

PANDIT RAM CHANDRA DOBEY : Is the Government justified in comparing sea-ports with the customs posts of this place?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : In our part of the country there is a scarcity of water in the Kandi Illaqa. Therefore we have land-ports here. (Laughter)

PANDIT RAM CHANDRA DOBEY : Why does the Government invest the customs officers with the power of hearing such cases? In reality judicial powers should be vested to judicial officers only because cases are heard by them quite satisfactorily.

605. AGHA SYED HUSSAIN JALALI (Rainawari, Maharajganj, Srinagar City :Muslim) : Will Government please state as to why

a regular course of embroidery and drawing which is essential part of the education, has not been prescribed tor female education.

Do Government intend to prescribe such a course for future or what?

THE HON'BLE MR. WAJAHAT HUSSAIN : The course of embroidery is prescribed for female education but not drawing as there is no demand for it.

The question does not arise.

606. AGHA SYED HUSSAIN JALALI : Will Government please provide :—

(*a*) A useful arrangement to instruct the latest methods of craftsmen, following old lines with regard to the industries *e. g.* Paper Machie, Wood-carving, Embroidery, etc.

(*b*) Will they select a person who by improving their old methods may give them instructions on the latest lines, so that their work may receive appreciation and they may get reasonable profits out of their work during the present days of economic depression?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Government maintained for a number of years special classes for instruction in wood-carving, embroidery etc. under a well known artist (Mr. Andrews) but the manufacturers in the lines having failed to take any advantage of the existence of these special classes these were closed in 1931. Past experience does not seem to warrant the repetition of similar experiment now.

(*b*) Does not arise.

607. AGHA SYED HUSSAIN JALALI : (*a*) Does the Srinagar Municipality provide such amenities to the inhabitants within the municipal limits, which it is bound to provide under rules.

(*b*) If the answer be in the affirmative, have any arrangements of water supply, roads, lanes, light, latrines, vaccination and stations been made for Illaqas of Chhattabal, Sowara, Khawja Yarabal, Zonimar, Mandibal etc. on the out-skirts and Mohallas near the city proper? Details regarding each Mohalla may be given?

(*c*) If the answer be in the negative, why?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI :
(*a*) Yes, as far as practicable.

(*b*) Water supply ... In all Mohallas excepting Sowara, Zunimar and Mandibal.

Roads and lanes ... Maintained so far as funds permit everywhere.

Light ... Provided for almost all places

Vaccination and Conservancy and Latrines ... Provided for all places.

(*c*) Does not arise.

608. AGHA SYED HUSSAIN JALALI : (*a*) Does the Municipal Committee realise tax for those Illaqas and Mohallas, the requirements whereof it cannot provide?

(*b*) If the answer be in the affirmative, under what rules it is so done?

(*c*) If the answer be in the negative, which of the Mohallas and Illaqas have been exempted?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI :
(*a*) No.

(*b*) Does not arise.

(*c*) Does not arise.

609. PANDIT AMAR NATH KAK (Srinagar City North : Hindu) : Will the Minister-in-charge of Education be pleased to state :—

(*a*) What the number of girls of school-going age in Srinagar is?

(b) What the number of girls in Government Girls Schools is?

(*c*) What the number of Government Girls Schools in Srinagar is?

(*d*) Whether this number is adequate for the needs of the city?

(*e*) If not, will the Government increase the number of such schools in the near future?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) 11,814.

(*b*) 1,874.

(*c*) Total number of schools ... 33

Government ... 21

Aided ... 12

(*d*) No.

(*e*) The Government is opening new schools every year.

610. PANDIT AMAR NATH KAK : Will Hon'ble the Minister-in-charge of Municipalities be pleased to state :—

(*a*) How many Zenana parks and Pardah playgrounds are there in Srinagar with the exception of one Zenana park in the vicinity of the Exhibition ground?

(*b*) Are there any such parks and grounds situate in or near the densely populated parts of the city?

(*c*) Was any scheme of making arrangements for parks in different wards of the Municipality taken up by the Srinagar Municipal Committee? If so, when and what was that scheme and what were the reasons for not giving that scheme a practical shape so far?

(*d*) Keeping in view of the density of population and hygienic conditions of most of the Mohallas situate on both sides of the river beginning from Amira Kadal to Safa Kadal and Rainawari, is it not necessary to have such parks and playgrounds and acquire land for this purpose in the midst of every group of Mohallas?

(*e*) Will the Government make arrangements for Zenana parks and playgrounds for girls in the midst of the densely peopled parts of Srinagar, adequate to meet

the requirements in immediate future and give this scheme preference over other schemes of less importrace (if any)?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) None.

(*b*) No.

(*c*) Yes. The scheme is to provide gradually parks in densely populated parts of the city to the extent of one or more in each ward according to necessity. The scheme has been given practical shape. The Hon'ble Revenue Minister who was approached has sanctioned the acquisition of land at 3 places in the city for the present.

(*d*) Yes, but not in every group of Mohallas.

(*e*) It is receiving attention.

611. PANDIT AMAR NATH KAK : Will Hon'ble Minister-in-charge of Public Works be pleased to state whether any steps have in the year 1992 been taken for increasing the volume of drinking water supplied to densely peopled parts of Srinagar through the trunk pipe passing over Zaina Kadal, in view of the fact that the whole city has been suffering for absolute or partial want of drinking water during summer?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes.

612. PANDIT AMAR NATH KAK : Will the Hon'ble Minister-in-charge of Public Works be pleased to state :—

(*a*) Whether the contract of constructing Zaina Kadal was given to the highest tenderer *i. e.* the tenderer who had offered to take up the work on a reduction of 17 per cent. or thereabouts?

(*b*) If so, did that contractor request that this reduction in rates be not made applicable to iron and some other minor items? If so, what would have been total loss approximately to the Government if his request had been acceded to?

(*c*) Was the contract in his favour cancelled on the ground that he made this request or did the contractor refuse

to carry out the contract on this ground? If not, what were the grounds of giving the contract to another contractor?

(*d*) Who is the other contractor? Were any fresh tenders called at the time of giving the contract to the other contractor?

(*e*) At what reduction has this contract been given to the other contractor? What will be the excess in cost now, as compared to the cost, if the previous contractor's request would have been acceded to?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) Yes. To gauge loss or saving until the work is actually completed is not possible.

(*c*) As the department does not accept tenders with reservations he was told that the same rates would be applicable to all the items. To this he did not agree. The work has, therefore, to be given to the next lower tenderer.

(*d*) Sardar Gulab Singh. Fresh tenders were not called.

(*e*) At 7 per cent. below the estimated rates.

PANDIT LOK NATH SHARMA : Who was contractor at first?

NOTE.—No reply was given.

613. MALIK GHULAM HUSSAIN (Kulgam :Muslim) : (*a*) Do Government know that Nala Veshu divides Tehsil Kulgam into two parts and the people living in half of the tehsil are put to great danger in coming over to the tehsil?

(*b*) Will Government by constructing a permanent bridge over this Nallah, protect the subjects against heavy losses of life and property?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) No complaint has so far been received.

(*b*) The Government is prepared to consider the question whether a bridge is necessary.

614. MALIK GHULAM HUSSAIN : (*a*) I have come to know that a few houses in village Sogam of Tehsil Kulgam which were constructed about fifty years ago, have been declared as constructed within the prohibited area, and that orders have been issued by the Tehsil for their removal?

Will Government cancel these orders, so that the poor zamindars may be saved from being rendered homeless?

(*b*) Will Government by declaring the construction of all other such houses as authorised, save the zamindars from huge loss?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Orders are passed on the merits of each case and aggrieved parties can, if they so desire, come up in appeal.

(*b*) The question is rather vague. But to make the point clear, the Member Praja Sabha is referred to reply to Q. D. No. 311.

615. MALIK GHULAM HUSSAIN : (*a*) Will Government in view of question No. 349 asked on 8th April, 1935 please state when the revenue for the walnut trees will be deducted and under what principle has the revenue been charged after the said trees have been cut down?

(*b*) What amount of revenue for such trees has been charged during the last 4 years in Kashmir? Will Government refund this amount to the zamindars?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The Member Praja Sabha is referred to reply to Q. D. No. 613 of the last session. If the member brings to notice specific instances, the information regarding revenue charged after the cutting of trees can be called for and supplied.

MALIK GHULAM HUSSAIN : Are entries of these walnut trees which have been felled not made in the revenue papers?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Revenue on felled trees is remitted on application.

MIAN AHMED YAR : Is it not found out at the time of Girdawari that so many trees have been felled? Why then is revenue not remitted according to this entry?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : We have got to see whether the trees have been felled by him or not. Remission of revenue is impossible without applying for it.

MIAN AHMED YAR : If others fell the tree, will he then still pay revenue for it.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It is our opinion that unless it is brought to the notice of the Government, there can be no remission.

616. MALIK GHULAM HUSSAIN : In view of Q. D. No. 309 of October 1935, will Government after enquiring about the waste area of Sanimarg Forest (between villages Barnai, Lamar and Sopat, Tehsil Kulgam) grant permission to the deserving zamindars to cultivate the same area?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : If any zamindar of these villages submits an application for the grant of any particular area the case will be examined and decided on its merits.

617. KHAWAJA SAIF-UD-DIN SHAH (Baramulla :Muslim) : (*a*) Is it a fact that the fruit traders of Kashmir are undergoing grave difficulties in getting fruit boxes.

(*b*) Is the intimation of sending out their goods within 15 days fixed for the goods entering the limits of Srinagar city? Is this period sufficient in this behalf?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Customs Department has no information on the subject.

(*b*) The member's attention is drawn to the reply to question No. 338.

618. KHAWAJA SAIF-UD-DIN SHAH : (*a*) Are the rates fixed by the Food Control Department favourable to the zamindars? On what principle are these rates fixed?

(*b*) Does the Food Control Department compel the zamindars to give a particular kind of grain which is not produced by their lands?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes. The rates were originally fixed at comparatively high level in view

of the compulsory nature of *Majawaza* demand and in consideration of the fact that *Assamis* have to keep their respective quotas of Shali until it is possible for the Food Control Department to take delivery.

(*b*) No.

619. KHAWAJA SAIF-UD-DIN SHAH : On what rates is the amount of expenses for trijunctional pillars realised from the zamindars? What share have the zamindars in spending this sum? If no, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part.*-- The cost of trijunctional pillars varies according to the rates of material, labour etc. prevailing in different tracts and at different times. It generally ranges from Rs. 4-8-0 to Rs. 10 each and may in certain cases, be less or more than these figures.

Under section 105 of the Land Revenue Regulation the obligation of constructing and repairing these pillars rests with the zamindars but on their failure to execute this work, this is carried out by the Government Agency under proper check and supervision to ensure satisfactory execution. The cost is distributed amongst the villagers concerned rateably. As the work is undertaken by the Government Agency on the admitted inability of zamindars to carry it out, the latter have no hand when they once fail to discharge the obligation imposed upon them under Land Revenue Regulation.

620. KHAWAJA SAIF-UD-DIN SHAH : Is it a fact that His Lordship the present Chief Justice has made a note about the Munsiff's Court at Baramulla? If so, what?

Are Government prepared to establish a permanent Sub-Judges's Court at Baramulla?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM :The officiating Chief Justice on his inspection of the Munsiff's Court Baramulla noted that the work pending with the Munsiff was too much for one man.

The proposal to establish a permanent Sub-Judge's Court at Baramulla is under consideration of the Judicial Minister.

621. KHAWAJA SANAULLAH SHAH (Handwara :Muslim) : (*a*) Are Government aware that in the last Settlement the periods from 15th of Sawan to the end of Bhadon and from 15th of Magh to end of Phagan, were fixed for the collection of revenue for Rabi

and Kharif respectively ; that an announcement was made accordingly among the zamindars and that for many years afterwards action was taken in accordance with that?

(*b*) Are Government aware that for the last four years contrary to this practice, the revenue for Kharif is collected from 15th of Magh to 15th of Phagan with all promptness, whereby the zamindars have to face extreme hardships?

(*c*) If the answer to the above part be in the affirmative, will the benign Government re-considering this matter issue early orders for providing facilities to the poor zamindars by having recourse to the time limits prescribed during the Settlement.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) *1st part.*—Presumably the Member Praja Sabha refers to the valley tehsils where the following dates were fixed for collection of land-revenue :—

Rabi ...15th Sawan to end of Bhadon.

Kharif ...15th Magh to 15th Phagan (and not end of Phagan as quoted by the member Praja Sabha).

2nd part.—Yes.

(*b*) This is being done in accordance with the dates fixed at the last Settlement.

(*c*) Does not arise.

622. KHAWAJA SANAULLAH SHAH : (*a*) Do Government realise that the appointments of local teachers and teachresses in boys and girls schools respectively, is conducive to the development of education?

(*b*) If the answer to part (*a*) be in the affirmative, will Government by paying special attention to this matter, appoint local teachers and teachresses at an early date?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) Necessary instructions have already been issued.

623. KHAWAJA SANAULLAH SHAH : Are Government aware that a Lower Middle School was opened last year at Handwara

proper and that during the current year instruction for the 7th class has been provided on the responsibility of the existing staff?

(*b*) Do Government, in view of the fact that the students of the seventh class are very anxious now on account of the academic year coming to an end, consider it highly necessary that the school above referred to be raised to the standard of Upper Middle School before Baisakh 1993?

(*c*) Are Government aware that there are about 300 students in this school, especially there are about 60 or 70 students reading in 7th class?

(*d*) Do the benign Government fully realise that if this school is not raised to the standard of an Upper Middle School, a large number of poor and indigent zamindar students, for want of arrangements for further education, will be compelled to become wanderers, whereby their precious life will be wasted?

(*e*) If the above parts are really worth admitting, are Government by showing liberality and generousity in this behalf, prepared to raise soon the Handwara school to the standard of an Upper Middle School? If so, can it be expected that early orders will be issued for the opening of eighth class there in Baisakh, 1993?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes, the strength of the staff was increased before opening the 7th class.

(*b*), (*c*), (*d*) and (*e*) The status of the Handwara Lower Middle School will be raised to that of Upper Middle School from Baisakh next.

624. KHAWAJA SANAULLAH SHAH : Are Government aware of the fact :—(*a*) that in accordance with Alians Nos. 1, 4, and 5 the zamindars have been granted the rights to cultivate the *Shamilat* area situate Berun-i-line where there are trees of Deodar, Kail etc?

(*b*) That no definite decision regarding the trees above referred to has been made so far and that the zamindars with the apprehension that they might be made to pay fine and compensation for these trees have not been able to cultivate the *Shamilat* area under the above mentioned trees, and thus they have been deprived of the benefit of the Royal Boons?

(*c*) If the answer to the above parts be in the affirmative, do the benevolent Government consider it advisable to grant the above

Berun-i-line trees to the zamindars on concession rates whereby the zamindars may be benefited and the Government may also be benefited on account of the cultivation of the *Shamilat* area under the above mentioned trees?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No.

(*b*) The trees are the property of the Government over which the zamindars have got no right. Under para 4 of Hadayat No. 14, dated 5th Jeth 1990, published in Government Gazette, dated 19th Jeth 1990, instructions have already been issued for early clearance of *Shamilat* areas of all trees standing thereon and as soon as this is done, these areas will become available for extension of cultivation when zamindars will be able to derive full benefit of the Royal Boon No. 4.

(*c*) No. The zamindars can obtain Government trees on concession rates, as permissible under rules (Jammu and Kashmir Forest Notifications) only and not indiscriminately.

625. KHAWAJA AKBAR DAR (Awantipura :Muslim) : (*a*) Are Government aware that the prohibition of the private import of Shali into Srinagar during these days of trade depression has rendered the economic condition of the zamindars of the Kashmir valley still worse?

(*b*) Do Government realise what hardships the zamindars of Kashmir have to face in paying land-revenue under this economic weakness because the Food Control Department helps only to the extent of annas ten in a rupee and the rest of the six annas the zamindar has to earn himself for remitting into the treasury.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The Member Praja Sabha is referred to reply given to question No. 234 of Srinagar Session 1935.

(*b*) His Highness' Government do not accept as correct the suggestion that advances paid by the Kashmir Valley Food Control Department for Shali represent only 5/8ths of the revenue payments due from *Assamis*. This may be the case with some *Assamis* possessing a small area of Shali land and a larger proportion of *Khushki* land but in the majority of cases the advance paid by the Kashmir Valley Food Control Department largely finances *Assamis* to pay revenue due and in some cases exceeds the total revenue payable.

626. KHAWAJA AKBAR DAR : (*a*) Can the Kashmir Government grant to the zamindars this concession for the future that they may be permitted without let or hinderance to cut the branches of the Chinar trees that they may plant in future and that they may be put to their personal use the dried or fallen wood of such trees?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No, as experience has shown that such concessions are likely to be abused as has been the case regarding walnut trees. The concession proposed by the Member Praja Sabha is sure to lead to ruthless exploitation of Chinars as has been done with walnuts.

Chinar is a Royal tree of grandeur which contributes immensely to the scenic charm of Kashmir and restrictions are necessary to preserve these trees.

627. KHAWAJA AKBAR DAR : Does the Hon'ble Revenue Minister know that during the Regular Settlement in the year 1951 the area under dispute of Id-gah in Pulwama was included in the *Abadi-i-Deh*, under Khasra No. 529 and therefore at the time of the first revision of the Settlement this area was shown in the possession of a certain person and was measured 2 kanals and 6 marlas under Khasra No. 1214 as included in the *Abadi-i-Deh*, and now the same area having been held as Khalsa land, has been included in the camping ground and the Id prayers have been prohibited therein?

(*b*) Can the Hon'ble Revenue Minister be pleased to state how this area of the *Abadi-i-Deh* on which the inhabitants of the village have equal rights, has been declared as Khalsa land in the third Settlement after the lapse of so long a time?

(*c*) Under what order and in what year and for what reasons this area has been excluded from *Abadi-i-Deh* and included in Khalsa land?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*), (*b*) and (*c*) Khasra No. 529 measuring 210 kanals 5 marlas was *Abadi-i-Deh* in 1951 but not Id-gah. The area being vacant on spot was mutated Khalsa in 1960 in accordance with the rules, reserving 2 kanals 6 marlas as *Abadi-i-Deh* for mulberry plantation under Nura Chowkidar which too was entered Khalsa in 1962 when not required for nursery.

From the above it will be clear that it is not correct to say that this area of *Abadi-i-Deh* has now been entered as Khalsa in the 3rd Settlement after the lapse of so long a time.

MOULVI MOHAMMAD ABDULLAH : *Abadi-i-Deh* is not included in the *Shamilat*?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No.

MOULVI MOHAMMAD ABDULLAH : Are there any common rights?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No.

KHAWAJA AKBAR DAR : Is any correspondence being carried on about this matter?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : I have no information.

628. KHAWAJA AKBAR DAR : (*a*) Will Government please state what help has been granted by the Government to those who suffered from the outbreak of fire in village Pakharpura, Tehsil Sri Pratapsinghpura where there is a famous shrine of Musalmans and where thousands of visitors flock together?

(*b*) Has the Forest or the Revenue Department given timber free of cost to these distressed people for building new houses?

(*c*) If the answer to (*b*) be in the affirmative, how much timber was granted to them?

(*d*) How long after the outbreak of fire has timber been given to them?

(*e*) Have these distressed people been granted pecuniary help by way of Taccavi? If so, how much?

(*f*) Have the said sufferers been remitted the land-revenue? If so, how much?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Report is awaited in the matter from the Governor who is collecting necessary information from the Tehsildar and Forest Department.

Reply will be given later on.

629. LALA RAM LAL VAKIL (Illaqa Poonch :Hindu) : (*a*) Do all laws of the State apply to Poonch?

(*b*) If the answer to (*a*) be in the affirmative, it may please be stated whether the members of the Praja Sabha from Poonch were appointed in the Select Committee before the passing of laws by the Jammu and Kashmir Praja Sabha.

(*c*) If the answer to the last part of (*b*) be in the negative, it may please stated whether such laws are applicable in Illaqa Poonch? If so, how?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Laws of the State do not apply automatically to the Illaqa but according to the terms of the Patta granted to the Raja Sahib of Poonch, he is under the obligation of introducing the laws in force in the State into his Illaqa after making suitable modifications in consonance with the local conditions.

(*b*) and (*c*) Do not arise.

LALA RAM LAL VAKIL : I did not ask in what way laws are introduced in Poonch? My question was, whether all laws of the State apply to Poonch? The reply given to part (*b*) of my question is that the question does not arise—whether or not the members from Poonch are included in the Select Committees.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : We do not know as yet whether any member from Poonch has or has not been taken in the Select Committees.

630. LALA RAM LAL VAKIL : Will Government please state whether the persons who discontinued residence in the State or in Illaqa Poonch before the year 1942 are also considered as hereditary State-subjects or the hereditary subjects of the Illaqa, and whether the continued residence is an essential condition for being a hereditary subject? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part.*—No.

2nd part.—Yes.

3rd part.—Does not arise.

SHORT NOTICE QUESTIONS.

MIRZA M. A. BEG : (*a*) Is it a fact that the Urdu weekly, Inkishaf of Jammu, has not been given any warning by the Government?

(*b*) Is it also a fact that the Inkishaf has never been black-listed?

(*c*) Is it a fact that the District Magistrate, Jammu had demanded a security from the said Inkishaf?

(*d*) If the answer to (*a*) and (*b*) be in the affirmative, will the Government please state why a security was demanded from the said paper?

(*e*) Will the Government please state if there is any other instance of a paper being asked to deposit a security without having been black-listed or given a warning? If not, has the Inkishaf been chosen for such treatment?

(*f*) Will the Government please lay on the table of the House all papers and record which pertains to papers which have been treated in the same way as the Inkishaf—I mean those papers which have been asked to deposit security without either having been black-listed or warned before.

(*g*) Will the Government also please lay on the table all the records because of which it has been deemed right to demand a security from Inkishaf?

COLONEL BALDEV SINGH PATHANIA (Governor Jammu) :

(*a*) Yes.

(*b*) Yes.

(*c*) Yes.

(*d*) On the same reasons for which a security was demanded from the Public Printing Press, wherefrom Inkishaf is published, because the Inkishaf had made indecent and exaggerated attacks on a Minister of the State and tries to create hatred against a section of His Highness' subjects.

(*e*) No. It is not necessary either to blacklist or warn a paper prior to demanding a security from it.

(*f*) and (*g*) No.

KAHCHARAI REGULATION, PUBLISHED IN THE GOVERNMENT GAZETTE NO. 23*b*, DATED 24TH MARCH, 1936.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now comes the Kahcharai Regulation.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Sir, under rule No. 48 of the Rules of Business and Procedure the Kahcharai Bill has already been published in the gazette. The aims and objects of it are given in detail at the end of the bill. Now I move that this bill be referred to a Select Committee. Its members will be as follows :—

1. Hon'ble Revenue Minister (Chairman).

Members.

2. Pandit Ram Chandra Dobey.
3. Mr. M. A. Beg.
4. Pandit Amar Nath Kak.
5. Major Atta Mohammad.
6. Choudhari Abdul Karim.
7. Sardar Mal Singh.

MIRZA M. A. BEG : I submit that instead of Sardar Mal Singh Sardar Budh Singh be taken on the Committee.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Votes will be taken.

THE HON'BLE MR. WAJAHAT HUSSAIN : It is necessary to have a State Councillor.

MIAN AHMED YAR : I would submit that Kahcharai relates to agriculture. Sardar Budh Singh is a man who has himself witnessed the needs and troubles of the zamindars. He knows the Government view point also, for he is a retired experienced Revenue officer. Moreover he knows well the condition of the zamindars. He should be taken on the Committee instead of Sardar Mal Singh.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : He has begged leave to be excused.

SARDAR BUDH SINGH : I submit that the members who are being taken on the Select Committee should be conversant with the

law which is to be amended. In respect of all that has been said in the House just now, and regarding the personnel of the Select Committee I would say that many amendments are needed, and we may perhaps be ready to oppose it.

If the personnel of the Select Committee is to be decided by votes I do not want to join such a business.

I submit that Choudhari Abdul Karim, who is on the Select Committee, is acquainted with this law. I will say nothing about Major Atta Mohammad. Similarly Mr. Amar Nath Kak also lives in the city and has no legal knowledge of Kahcharai. We want that if this bill is to be referred to a Select Committee, its members should be such as can consider it carefully.

THE HON'BLE MR. WAJAHAT HUSSAIN : We have no objection. It is for the Praja Sabha to select anybody for membership of a Select Committee.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Sardar Budh Singh can be taken in place of Major Atta Mohammad.

THE HON'BLE MR. WAJAHAT HUSSAIN : We have got to choose the members from different groups. Sardar Budh Singh may be taken in place of Major Atta Mohammad.

SARDAR BUDH SINGH : We have proposed the name of Khan Bahadur Agha Syed Hussain.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : He does not want to be on the Select Committee. Had he agreed we could have taken him.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The following members have been proposed now :—

1. Mr. Ram Chandra Dobey,
2. Mr. M. A. Beg,
3. Sardar Budh Singh,
4. Mr. Amar Nath Kak,
5. Choudhari Abdul Karim, and
6. Khan Bahadur Agha Syed Hussain.

Those who are in favour of this, will please raise their hands.

(Hands were raised)

Those who are against it will also raise their hands please.

(Passed by show of hands)

CINEMATOGRAPH REGULATION AMENDMENT BILL, PUBLISHED IN THE GOVERNMENT GAZETTE NO. 24*a*, DATED 27TH MARCH, 1936.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now Mr. Ghulam Ahmed Ashai will move that the Bill to amend Cinematograph Regulation be taken into consideration at once.

KHAWAJA GHULAM AHMED ASHAI : Sir, under rule No. 48, I move that the bill for amendment of Cinematograph Regulation be taken into consideration at once by the House. Under the head 'objects and reasons' have been mentioned briefly the reasons for which the necessity for an amendment to the bill was felt. Therefore I need not explain any more.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Those who are in favour of the motion will raise their hands.

(Hands were raised)

Those who are against it will please raise their hands.

(Hands were raised)

Passed by show of hands.

KHAWAJA GHULAM AHMED ASHAI : I move that this Bill be passed.

MIAN AHMED YAR : Before the bill is passed I would request that the mover should explain at length its aims and objects before the House. Many members want that he should do so.

PANDIT RAM CHANDRA DOBEY : The duties of Prime Minister should be defined just as the duties of Police Minister are defined.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Prime Minister is Prime Minister.

KHAWAJA GHULAM AHMED ASHAI : Sir, under Council order No. 476, 1935 the Government has appointed a Board of Censors.

PANDIT RAM CHANDRA DOBEY : What is that?

KHAWAJA GHULAM AHMED ASHAI : The Government has appointed a Board of Censors to examine films. Prior to this the Regulation that was passed in 1988 did not make any provision for this Board. Now the Government feels the necessity of an amendment so as to give that a legal shape.

PANDIT RAM CHANDRA DOBEY : The duties of the Board of Censors may please be defined. I think it would be better if this bill were referred to a Select Committee so that all papers could be gone into carefully there, and all things duly considered. In my opinion many gentlemen have not understood the bill.

KHAWAJA GHULAM AHMED ASHAI : The Board of Censors has not been defined even in the Government of India Act.

LALA SHIV NATH NANDA : What things do you want to censor?

KHAWAJA GHULAM AHMED ASHAI : It will be the duty of the Board of Censors to decide as to which films may be screened. (interrupted).

PANDIT RAM CHANDRA DOBEY : I submit that because many gentlemen have not yet gone carefully into this bill it should be referred to a Select Committee. There it can be fully considered. Meanwhile it should be postponed for discussion on some other official day.

THE HON'BLE MR. WAJAHAT HUSSAIN : I have no objection, Sir, to postponement. We may postpone the motion to pass the bill to some other official day, say the 8th, and the members may be informally informed to see Mr. Ashai in the meanwhile and suggest amendments etc. Reference to Select Committee, however, is out of question now, since the motion to take it into consideration at once has been passed.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The motion for immediate consideration has been passed and after passing this motion we cannot refer the bill to a Select Committee.

THE HON'BLE MR. WAJAHAT HUSSAIN : A motion has just been passed that this bill may be brought into consideration at once. Therefore we say that the bill cannot be referred to a Select Committee now. The stage of its being referred to a Select Committee is over now. However it will now be postponed to the 8th of April. Members who desire may express their views to Mr. Ashai, and suggest amendments ; all those will be taken into consideration.

MR. GHULAM MOHAMMAD SADIQ : Will there be any non-official member of the Board of Censors?

MR. GHULAM AHMED ASHAI : You do not seem to have read the bill.

PANDIT RAM CHANDRA DOBEY : It was for this very purpose that I had submitted that the bill should be referred to a Select Committee for consideration. Meanwhile all the members could go through the bill carefully.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now the motion before you is to put off the motion to pass the bill to 8th April to suggest amendments to Mr. Ashai. Therefore those who want that this motion be taken up after the 8th April will please raise their hands.

(Hands were raised and the motion passed unanimously)

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Gentlemen, you may all have to make necessary arrangements now for your return journey to your respective homes. As already notified the Praja Sabha will be prorogued on the afternoon of the 8th April or the forenoon of the 9th April because there does not seem to be any work after that.

The Praja Sabha then adjourned till Monday, the 6th April 1936.

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JAMMU AND KASHMIR PRAJA SABHA.

Monday the $\frac{6th\ April,\ 1936.}{25th\ Chet,\ 1992.}$

The Praja Sabha met in the Praja Sabha Chambers in the Pink Hall Jammu at Eleven of the Clock. Mr. President (The Hon'ble Sir Barjor Dalal Kt.) in the Chair.

LIEUTENANT COLONEL E. J. D. COLVIN, C. I. E., I. A., Hon'ble Prime Minister was sworn in.

NOTE —The House cheered when the Hon'ble Prime Minister shook hands with the Hon'ble President.

QUESTIONS AND ANSWERS.

631. MAJOR MIRZA ATTA MOHAMMAD KHAN (Reasi : Muslim) : (*a*) Are Government aware that the lives and the cattle of the people of Manawar, Deva-Batala and Valley Nowshera are in danger, in the hot weather on account of the extreme scarcity of water?

(*b*) Do Government know that all this central Illaqa can be irrigated and can become verdant if canals be dug from Nullah Shakarmarg and Nullah Ans and put into Tawi Rajouri?

(*c*) If the answer be in the affirmative, do Government intend to take some practical step in this matter? If so, when? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) No canal can be dug from Shakarmarg Nullah. No survey has been made as regards the possibilities of Ans Nullah.

(*c*) The question does not arise.

632. MAJOR MIRZA ATTA MOHAMMAD KHAN : (*a*) Does the Hon'ble Revenue Minister know that the village of Jammu Province which are assessed to permanent grazing fee are charged grazing fee in accordance with Settlement records irrespective of the

fact whether or not a certain person was a proprietor or occupancy tenant in the said villages at the time of Settlement? Will the Hon'ble Revenue Minister be pleased to state whether any order contrary to this practice has been issued in Reasi District?

(*b*) If so, why?

(*c*) If the answer be in the negative, why the Patwaris of District Reasi have been ordered to supply lists of proprietors, occupancy tenants and non-occupancy tenants at the time of the Settlement and of those after the Settlement?

(*d*) Does the Hon'ble Revenue Minister intend to charge grazing fee for ever beginning from the time of settling at the rates fixed for nomads, from those persons who have acquired property or occupancy rights in the villages of Reasi District after the Settlement, and those who were not assessed to permanent grazing fee at the time of Settlement, and those who are non-occupancy tenants and those who have migrated from one village into another village?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) *1st part*.—Yes.

2nd part.—No.

(*b*) Does not arise.

(*c*) This was done to scrutinize and set right the erroneous procedure alleged to have been followed by some local Revenue subordinates in including in class "A" livestock of nomads and other persons who had not been assessed to fixed Kahcharai at the last Settlement. This is however a purely administrative matter.

(*d*) Under the well recognised principles of Settlement permanent assessments made at the last Settlement will remain operative for the term of the Settlement and livestock of persons not assessed to such fixed Kahcharai at the last Settlement will be subject to payment of fluctuating fee during the currency of the present Settlement.

633. MAJOR MIRZA ATTA MOHAMMAD KHAN :Will the Hon'ble Revenue Minister be pleased to state the names of the rivers and Nullahs of Tehsil Rajouri to which the Fisheries Regulation will be applied?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Fisheries Regulation will apply to the following rivers and Nullahs of Tehsil Rajouri :—

1. Rangar Nala with two branches, Sarsawa-wali Rangar and Bohbra-wali Rangar to their junction with Poonch river.

2. Nalla Ban (with its main tributaries upto its junction with Poonch river).

3. Nail Nullah upto its junction with Poonch river.

4. (*i*) Thanna-wali-Tawi. (*ii*) Darhel-wali Tawi. (*iii*) Sukh Tawi.

5. (*i*) Anas Nalla. (*ii*) Nairi Tawi.

6. Tawi river from Rajouri to Munawar including Thanda-Pani-wali Tawi.

634. MAJOR MIRZA ATTA MOHAMMAD KHAN : (*a*) Does the Hon'ble Revenue Minister know that additional grazing fee is realized from the herdsmen of class A who belong to Tehsil Rajouri, when they go to Tehsils Kulgam and Awantipura of Kashmir Province? Is it on account of provincial division that it is so done?

(*b*) Will the Hon'ble Revenue Minister please state why additional grazing fee is not charged from the herdsmen of class A of Kashmir Province when they move to Illaqa Kund and Nandimarg of Jammu Province?

(*c*) Will Government graciously exempt the herdsmen of class A of Tehsil Rajouri from the payment of this additional grazing fee, just as the herdsmen of Kashmir are exempted from such payment when they graze their cattle in Illaqas Kund and Nandimarg? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Because Kund and Nandimarg tracts of Jammu Province are, for grazing purposes, treated as parts of Kashmir.

(*c*) No, as according to the geographical distribution of the country, Rajouri cannot form part of Kashmir. Besides, sufficient grazing facilities exist in this tehsil itself.

635. LALA SHIV NATH NANDA (Srinagar City :Hindu other than Kashmiri Pandits) : It was stated during the Srinagar Session of the Praja Sabha in reply to my question No. 23, that two lacs and five hundred lbs. of silk yarn were sold at concession rates to a Firm at Khari Bauli, Dehli, with which the Department had old business connections and that one year after this on the Firm's failing to take off the goods on considerations of the old business connections, further concession was allowed.

If the answer be in the affirmative, will the Hon'ble Revenue Minister please state the quantity of silk yarn purchased by the said Firm of Khari Bauli, Dehli, before or after 6th December 1931?

Full details of the above with details regarding the names of the places and the stations for which the two lacs and five hundred lbs. of silk yarn purchased by the Firm, were booked at Srinagar, may be placed on the table of the House.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part.*-- No such statement was made.

Part II and *III*.—Do not arise.

LALA SHIV NATH NANDA : The Hon'ble Revenue Minister says that no such statement has been made. But I have got the statement with me. This has been made by the Government and not by the Hon'ble Revenue Minister.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Yes. I say that the statement that had been made is as follows.

LALA SHIV NATH NANDA : Sir, need it be read?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : All that you have said is about the statement and I have read out the statement to you.

LALA SHIV NATH NANDA : Sir, in reply to my question it has been stated that two lacs, five hundred and eighty-four pounds of silk yarn have been sold at concession rates to the firm at Khari Bauli, Dehli on the 7th December 1931.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No, it is a mistake. In English it is not like that.

LALA SHIV NATH NANDA : You state that it is not the 7th December but the reply here with me says 7th December. The date is given. The present statement does not give the date 7th December. I want to ask what quantity of silk yarn was sold to this firm before and after this date. I want that all the sales made by the silk factory to this firm, or the purchases from it should be stated so that it may be clear for how long this firm has been a customer and whether or not it is an old customer.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The reply to your question has already been given. If you want any other particular information it will also be procured. How can this information be given just now in the House.

LALA SHIV NATH NANDA : If the information is not given in the House where else it will be given. When questions are submitted one month in advance why is information not procured in time.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He says that there has been a mistake in English and enquiries about it will be made afterwards.

LALA SHIV NATH NANDA : I say that there is no need of any secrecy.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Enquiries will be made about this.

NOTE.—The Hon'ble President ordered the Praja Sabha Secretary to keep a note.

636. LALA SHIV NATH NANDA : Is it a fact that Mr. Lal, the Director of Sericulture, has received occasional warnings for his defective work from every Minister-in-charge of Silk Factory?

If the answer be in the affirmative, will Government please account for their indifference inspite of the fact that his control is defective and his work is unsatisfactory?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *Part I.*—No.

Part II.—Does not arise.

LALA SHIV NATH NANDA : Sir, I have again been given a similar reply. I submit if it is a fact that every Minister-in-charge of the Silk Factory has given warnings to Mr. Wattal.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Mr. Lal please and not Mr. Wattal.

LALA SHIV NATH NANDA : I am sorry. I meant Mr. Lal.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Both names end with the letter "L". (Laughter)

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Your question is if every Minister-in-charge Silk Factories has given warnings to Mr. Lal and the reply to that has been given. Every Minister-in-charge has not given him warnings.

LALA SHIV NATH NANDA : The Hon'ble Revenue Minister has not understood me. I asked if all the Ministers three of whom are here now, had decided to warn Mr. Lal.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : You are discussing and there is no need of discussion here. An *ex*-Minister Mr. Maqbul Hussain had given him a warning. You have asked if every Minister has warned him. You start a discussion which need not be raised.

LALA SHIV NATH NANDA : I say that a clear reply ought to have been given. If only one or two Ministers have given warnings to Mr. Lal their names ought to have been mentioned.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : In your question you have put in the words "every Minister". You ought to have written "one or two Ministers" instead.

637. LALA SHIV NATH NANDA : Is it a fact that on the 7th December 1931, the Director of Sericulture sold silk yarn about $2\frac{1}{2}$ lacs of pounds to Messrs Shiv Parshad Ram Parshad, Benares at the following concession rates on account of old relations :—

Yellow at Rs. 6-15-0 per lb.

Roman at Rs 5-13-0 per lb.

Irish at Rs. 5-1'-0 per lb

(*vide* reply to Q. D. No. 139 of the last session).

If the answer be in the affirmative, will the Hon'ble Development Minister be pleased to state whether soon after this *i. e.* within

about 20 days the price of silk yarn was raised to Rs. 9/2/- per lb. *i. e.* about Rs. 3/8/- per lb. more than that charged previously? Was it raised with the object that the other people may not be able to buy silk yarn and the said firm may, on account of old relations, make undue profits? If it was raised for any other reason, the same may please be stated.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM :: (*a*) No.

(*b*) This does not arise.

LALA SHIV NATH NANDA : Sir, my question was is it a fact that on 7th December 1931 the Director of Sericulture sold silk yarn about $2\frac{1}{2}$ lacs of pounds at the following concession rates on account of old relations :—

Yellow at Rs. 6-5-0 per lb.,

Roman at Rs. 5-13-0 per lb.,

Irish at Rs. 5-11-0 per lb. and

after twenty days the rate was raised to Rs. 9/2/- on account of old relations and the same firm thereby given a good deal of profit.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Two and a half lacs of pound of silk yarn have been sold at the rate of Rs. 5/6/- per lb. on the 7th December.

LALA SHIV NATH NANDA : Was it right to have raised the rate within twenty days from Rs. 6/5/- per lb. to Rs. 9/2/- per lb.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The rate was not raised within twenty days.

638. LALA SHIV NATH NANDA : Are Government aware that the pension case of Harichand Qanungo, who was retired on 14th Baisakh 1986 has not been completed?

If the answer to the above be in the affirmative, will the Hon'ble Finance Minister state as to whether it is not unjust that the pension case of a poor man like him who mainly depends on pension for his livelihood has not been decided for such a long time (seven years)?

Who is responsible for this?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : Yes. The pension papers are incomplete and audit objections have not been removed. The pensioner had not 30 years' full qualifying service and Government sanction to regularize his retirement has been called for. As regards delay in the preparation of pension cases and the steps taken to minimize hardship to pensioners the member is referred to reply to question No. 677 asked by Pandit Ram Chandra Dobey.

639. WAZIR GANGA RAM (Reasi :Hindu) : In 1992-93 a grant was made for the supply of water in Illaqa Kandi. It may please be stated what action has been taken regarding the supply of water and what work will be started in this behalf and in which Illaqas?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Proposals are under consideration.

640. WAZIR GANGA RAM : (*a*) Are Government aware that grazing fee has been imposed in Reasi town but no area has been specified for the grazing of the cattle?

(*b*) If the answer to (*a*) be in the affirmative are Government prepared to allot some area for the grazing of the cattle? If not, will this tax be remitted?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) *1st part*.—Yes.

(*b*) *2nd part* and (*b*) 914 kanals of land have been allotted as *Shamilat* for the town of Reasi, which includes grazing ground. Thus the question of alloting more area for grazing or of remission of grazing tax does not arise.

641. WAZIR GANGA RAM : (*a*) Are Government aware that in hilly tehsils the zamindars remain with absolutely no work in hand during winter?

(*b*) If the answer to (*a*) be in the affirmative, will Government please state whether they intend to start some industries at such places? If so, when?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) and (*b*) Industries suitable for spare time occupation such as can be started on cottage basis are already in existence in hilly tehsils. Government has already sanctioned funds for the improvement of

these industries so as to make them more remunerative. The Department of Industries will be shortly organizing, dyeing and tanning demonstrations. Weaving demonstration is already given in Bhadarwah and Kishtwar Illaqas. Cattle fairs will also be organized stimulating interest in keeping better cattle. Advice and consultation are offered to educated zamindars for training in honey production.

642. WAZIR GANGA RAM : (*a*) Will Government please state whether persons who are not middle pass have been appointed to the posts of Mahaldars, Assistant Mahaldars since 11th April 1932?

(*b*) If the answer to (*a*) be in the affirmative, will it please be stated as to how many such appointments have been made during this period and whether such appointments are not contrary to the orders of the Government? The reasons for such contravention may please be stated?.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) No.

(*b*) Does not arise.

643. HAJI AHMEDULLAH SHAHDAD (Tashawan-Srinagar City :Muslim) : Will the Hon'ble Minister concerned be pleased to state :—(*a*) To whom and regarding what Industries, monopolies have been granted in the State?

(*b*) For what term these monopolies have been granted?

(*c*) Among the monopoly holders who are State-subjects and who are non-State-subjects?

(*d*) To whom among the monopoly holders, aid has been granted by the State and how much?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) and (*b*) Monopolies in the sense of preventing others by law to set up rival concerns has not been granted to anyone. Monopoly, in the sense of undertaking on the part of Government that similar concessions will not be granted to others, is given by the following firms :—

1. Match Factory, Baramulla-Kashmir.
2. Santonin Factory, Baramulla-Kashmir.

3. Indo-Textile Manufacturing Factory, Kashmir.

4. Silk Weaving Mills, Srinagar.

5. Himalaya Soap Works, Srinagar.

6. Fruit Packing Cases Industry, Srinagar.

7. Woolen Mills, Srinagar.

8. Hydro Electric Works, Muzaffarabad-Kashmir.

9. Kashmir Chemical Company, Jammu.

10. Kashmir Pottery Works, Jammu.

11. Jammu Tannery, Jammu.

As regards Resin, the State has a profit share agreement with the Jallo Resin and Turpentine Factory Lahore for a period of 5 years which terminates in 1936-37. During the currency of the agreement no rasin can be sold to anyone else.

(*c*) With the exception of the proprietors of the Industrial Concerns mentioned at Nos. 6 and 7 above, all are State-subjects.

(*d*) The following Factories have been granted aids :—

	Rs.	a.	p.
1. Kashmir Silk Weaving Mills, Srinagar ...	3,06,800	0	0
2. Shri Karan Singh Woolen Mills, Srinagar ...	80,000	0	0
3. Kashmir Pottery Works, Jammu...	7,000	0	0
4. Jammu Tannery, Jammu ...	34,675	10	0
5. D. R. Sharma's Hydro-Electric Works ...	34,000	0	0

MIAN AHMED YAR (Muzaffarabad :Muslim) : May I ask what aid has been rendered before the passing of the Aid to Industries Bill and what after that?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Probably all this aid was given before this bill was passed.

MIAN AHMED YAR : Has this aid been given on the basis of some agreement?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Yes, aid has been rendered on the basis of agreement.

644. HAJI AHMEDULLAH SHAHDAD : (*a*) Will the Hon'ble Revenue Minister be pleased to state whether the Government prepared any scheme to increase the quantity and to better the quality of the wool produced in the State?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Government has incurred large expenditure in obtaining best possible advice from the world famous Professor A. F. Barker on the question of improvements of wool. Steps have already been taken to improve the quality of products from local wool. The research station is being set up to conduct further investigation. An elaborate scheme on sheep breeding and wool growing is under preparation.

645. HAJI AHMEDULLAH SHAHDAD : (*a*) Will the Hon'ble Minister-in-charge of the Industries be pleased to state whether any advertisement was made before granting an aid of Rs. 80,000 to Mr. Wattal for starting a factory of woollen articles?

(*b*) What benefit will be derived by the subjects of the State from the grant of this aid?

(*c*) To what extent the Government will have supervision over the employees of the factory?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Loans are granted on the merit of each case.

Applications for loan are considered on their merits alone. An applicant must have particular qualifications before his application can receive consideration. The question of advertisement, therefore, did not arise.

(*b*) The loan has been granted with the specific purpose of having some of Professor A. F. Barker's recommendations given effect to and ascertaining whether properly sorted, graded and carded wool will give superior hand spun yarn. The requisite unit of machinery being rather expensive and in face of financial stringency

the possibility of Government installing such machine was rather remote. The grant of loan has made possible immediate installation of such machinery so that the woollen industry does not have to wait for rehabitation of Government finances. The result of the tests of the carding unit are expected to be of definite value to the hand spinner and hand weaver. Under terms of agreement the factory will supply properly carded and sorted wool for being spun and woven by the cottage worker. It will also supply yarn for use by the cottager. It is bound also by agreement to co-operate with the Department of Industries in the matter of results of the proposed research cottager's equipment being taken on a factory sale. Loan is thus granted in the interest of improving the lot of hand loom weavers of Kashmir. Further it will help to a certain extent to relieve unemployment.

(*c*) The Factory will be run by a limited concern and as such follow well established practices in dealing with their employees. No special provision is made for Government supervision of the Factory.

646. HAJI AHMEDULLAH SHAHDAD : Will Government please state what is the number of Muslim and non-Muslim employees in the Kashmir Central Jail?

THE HON'BLE MR. WAJAHAT HUSSAIN : In the Central Jail Srinagar the Muslim employees are 46 while the non-Muslim are 82.

647. COLONEL ABDUR REHMAN KHAN (Udhampur :Muslim) : (*a*) Will Government please state whether they have granted to the Jallo Factory a monopoly for the supply of resin from the Udhampur Forest Division? If so, for what period? Will the Hon'ble Revenue Minister please inform the House about the terms of the monopoly?

(*b*) Is there any scheme under the consideration of the Hon'ble Revenue Minister for the opening of a resin factory at Udhampur, whereby the economic depression in District Udhampur may be removed and the State may make good income?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes. For a period of 5 years ending 1936. Copy of terms is placed on the table of the Member Praja Sabha.

(*b*) No. Resin tapping industry in the Udhampur District already provides employment to a large number of inhabitants

there. Under the existing arrangement Forest Department has been making a profit of Rs. 2 per maund at least.

Agreement for the sale of Crude Resin.

This agreement made the 17th day of November 1932, between the Minister-in-charge of the Forest Department acting for and on behalf of the Government of His Highness the Maharaja Bahadur of Jammu and Kashmir (here-in-after called the Seller) for himself, his successors and assigns on the one part, and the Jallo Resin and Turpentine Factory of the Mall, Lahore (here-in-after called the Purchasers) for themselves, their legal representatives and their assigns on the other part, witnesseth as follows :—

1. (*a*) The Seller, in consideration of the payments to be made by the purchasers, as here-in-after specified in Clause 3, agrees to sell to the Purchasers and the purchasers agree to purchase subject to the conditions here-in-after appearing.

The whole of the crude resin to be extracted from the State forests during the five calendar years 1932 to 1936.

The Seller agrees not to extract any crude resin in any year in excess of the quantity allotted to the State and to be purchased by the Purchasers, and in case of any additional extraction the State will have no authority to dispose of it except for departmental purposes.

(*b*) The total quantity to be distilled in the following year will be determined each year at an annual conference consisting of the Board of Directors of the Jallo Factory, the Chief Conservator of Forests, Jammu and Kashmir and the Conservator of Forests, North West Frontier Province.

Of the total quantity to be supplied by the Government of Jammu and Kashmir, the Punjab and the North West Frontier Province, the Purchasers agree to allot at the time of determination to the Seller not less than 37 per cent.

2. The Seller agrees to deliver the whole outturn of the year, not later than the 31st March of the following

year, the Jallo station of the North Western Railway, packed in suitable containers and further agrees to deliver not less than 75 per cent. of the outturn not later than the 31st December.

3. (*a*) The Purchasers agree to pay for the above mentioned crude resin.

(*i*) fixed rate per maund, and

(*ii*) 50 per cent. of the net profits per maund earned from the resin supplied by the Seller calculated as shown in Clause 3 (*c*) below.

(*b*) The fixed rate per maund for the 1932 collections will be Rs. 4/2/-.

For future years collections at this rate will be determined at the annual conference consisting of the Board of Directors of the Jallo Factory, the Chief Conservator of Forests, Jammu and Kashmir, and the Conservator of Forests, North West Frontier Province, as here-in-before referred to.

In the event of the Conference not being able to agree upon a certain rate in any particular year this agreement shall be considered to be suspended for that year.

(*c*) The net profits shown in the audited balance sheet of the Purchasers shall form the basis on which the net profits earned from the resin supplied by the Seller shall be calculated.

Net profits shown in the audited Balance Sheet of the Purchasers shall be the amount shown under the heading "Net profits for the year" in the Balance Sheet of the Purchasers prepared annually by their Auditors. It shall represent the profits left after deducting all charges including depreciation and Manager's commission.

The calculation of the net profits earned from the resin supplied by the Seller, and net profits to be paid to the Seller shall be made in accordance with the Note attached to this agreement.

4. The purchasers agree to make payments as under :—

(*a*) At the fixed rate per maund.—

(*i*) For the resin delivered at Jallo from the 1st April to the 15th September on or before the 10th October.

(*ii*) For the resin delivered at Jallo from the 16th September to the 31st March on or before the 15th May.

(*b*) The share in the net profits, within one month of the passing of the Balance Sheet by the Purchasers' Board of Directors.

All payments will be made into the Jammu Treasury or to the credit of the Accountant General account with the Imperial Bank of India, Srinagar.

5. The price paid by the Purchasers includes the price of the containers, when kerosine oil tins are used, but this notwithstanding the Purchasers agree to return to the Seller any tins fit for further use as containers.

It is further agreed that should the Seller with the consent of the Purchasers use galvanised iron drums instead of kerosine oil tins as containers, these will remain the property of the Seller and will be returnable by the Purchasers to the Seller at the latter's expense.

Note on calculation of profits.

The distribution of profits as between the Jallo Factory and resin suppliers is complicated by the fact that the factory has frequently to make outright purchases of resin from outside sources in order to minimise competition. This 'outright purchase' resin affects the figures of net profits in the factory's Balance Sheet and the 'net profits' of the Balance Sheet is not the same figure as the net profits earned by the resin supplied by profit sharers.

One should lay down the actual method proposed for the distribution of the profits amongst those supplying resin on a profit sharing basis, somewhat as follows :—

Suppliers of resin on a profit sharing basis shall, as between them all, receive 50 per cent. of the net profits earned from the resin thus supplied. This 50 per cent. of the net profits so earned shall be divided between the suppliers exactly in ratio to the quantity of resin supplied by each during the financial year.

The profits accruing to each supplier of resin under this scheme shall be calculated in accordance with the following statement :—

(A) Calculation of total net profit obtained from resin supplied on a profit sharing basis.

I. Calculation of net profit on the assumption that all the resin was suppiied on the profit sharing basis.

(1931-32 figures used)

		Rs. a. p.
(*a*) Net profit as per Balance Sheet	...	12,313-12-6
Add difference in price on account of outright purchases of resin Rs. 5-13-0 instead of Rs. 4-4-0, maunds (585×1-9-0)	...	914-1-0
Profit would have been	...	13,227-13-6

II. Calculation of Profit/Loss on the outright purchased resin.

Total resin purchased during the year (70,509 Mds.)

Profit per maund of resin (Rs. 13,227-13-6÷ 70,509)	...	0-3-0
Net loss per maund on outright purchased resin 0-3-0—1-9-0	...	—1-6-0
Total profit on outright resin purchases 585× 1-6-0	...	—804-6-0
III. Profit from resin supplied on a profit sharing basis (69,924)	...	13,118-2-6
(Balance Sheet Profit)		12,313-12-6

(B) Distribution of the profit earned by resin supplied on a profit sharing basis.

Profit earned	...	13,118-2-6
Less Manager's commission (½ %)	...	65-9-6
To be divided	...	13,052-9-0

		Rs. a. p.
50 % to resin suppliers	...	6,526-4-6

Resin supplied—59,924 Mds.

Suppliers profit per maund Rs. 0933.

Distribution :—

Kashmir and Jammu State	...	26,000×.09333=2,427
N. W. F. Province	...	9,069×.09333= 846
Punjab	...	34,855×.09333=3,253
		69,924 6,526

Explanations of above calculations.

A. (I) Had all the resin received been on the profit-sharing basis, the net profit would have been greater than shown in Profit and Loss account by the amount paid on purchased resin in excess of that paid on profit sharing resin.

(II) Having found what the total profit would have been, one then calculates the profit per maund. Knowing what was paid for purchased resin one can then find the profit or loss to the factory on the purchased resin.

(III) To find the total profit accruing to profit-sharing resin the profit or loss on purchased resin is either subtracted from or added to the net profit of the Profit and Loss account.

B. 50 per cent. of this is due to the resin suppliers and is divided between them in ratio of the quantity of resin supplied.

This is the basis on which profits have been distributed since the present Jallo Concern was established and whilst being a somewhat complicated arithmetical calculation is the only correct method.

648. COLONEL ABDUR REHMAN KHAN : Are hereditary State-subjects taken in service in Jagir Chenani? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part*,---Yes.

2nd part.—Does not arise.

649. COLONEL ABDUR REHMAN KHAN : Are there no retired Law Graduate Sub-Judges and Wazirs Wazarat etc. available in our State? If they are available why retired men from the Punjab, who do not know law, have been employed here?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part.*--Yes, there are.

2nd part.—Does not arise, as the Wazir and the Tehsildar to whom the Member Praja Sabha evidently alludes are retired officials from the State. As regards their attainment and experience, the Member Praja Sabha is referred to Reply to Q. D. No. 915 of the last session.

COLONEL ABDUR REHMAN KHAN : I want to know what their qualifications are?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : They are retired officials. They have retired as Settlement Officers and Tehsildars from the State.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Even retiring from service is a qualification, for you and for me. (Cheers)

650. COLONEL ABDUR REHMAN KHAN : Does the Doctor at Chenani possess any certificate of having passed any medical examination? Does he belong to the Punjab and are there no qualified youngmen or retired medical men available here to replace him?

If the answer be in the affirmative, why has the life of the subjects of Chenani been placed in the hands of an inexperienced and illiterate person?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part.*---The Officer in charge Chenani Dispensary is a non-hereditary State-subject. But he served for five years in the parent State of Jammu and Kashmir, after which he served in the Punjab Medical Department for 32 years and retired therefrom. He was working as Head Compounder in the Punjab, and has got a Certificate of the Medical Department. He has also got M. H. D. Diploma of Homeopathic treatment. He also knows Vedic treatment. He was evidently selected in consideration of his long experience.

2nd part.—Does not arise, as the present officer is not inexperienced and illiterate.

COLONEL ABDUR REHMAN KHAN : Is this Sanad enough for being a qualified doctor?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : For Chenani, where the pay is small, this Sanad is enough.

COLONEL ABDUR REHMAN KHAN : Are not the Chenani people men?

(No reply was given)

651. COLONEL ABDUR REHMAN KHAN : Do the Ahalmads of Courts, Patwaris, and Girdawars etc. almost all, belong to the Punjab? Are able and experienced men like them not available in our State or in Jagir Chenani? If the answer be in the affirmative, why are the rights of the poor subjects violated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The Member Praja Sabha is referred to replies to Q. D. Nos. 914 and 915 of the last session. In reply to Q. D. No. 915 it was stated that the Illaqadar was being asked to utilize the services of local men. He is accordingly replacing gradually non-State-subjects by local men as opportunities arise.

652. KOTWAL LAKHMI RAM (Udhampur :Hindu) : (*a*) Why has not the establishment of Jagir Bhadarwah, which has been transferred to the State on the amalgamation of the Jagir with the State, been given the same grades of pay as have been sanctioned in the State?

(*b*) Why have not the employees of the said Jagir who were retired prematurely been given pension so far?

CAPTAIN KANWAR HIRA SINGH (Political Secretary on behalf of the Hon'ble Prime Minister) : (*a*) The grades of Domain employees were brought on par with State scale on amalgamation of the Jagir with the State.

(*b*) Pension has been granted to all the Jagir employees whose cases have finally been completed. The Member Praja Sabha may point out any particular instance in which it has not been granted.

KOTWAL LAKHMI RAM : The pension cases of seven retired officials have not been completed yet, though they have retired from service fourteen years back.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Please submit a list of the gentlemen who have not received their pensions as yet.

LALA HAVELI RAM (General Secretary) : Please send a list to the office. The matter will receive consideration.

SARDAR BUDH SINGH (Mirpur-Poonch :Sikh) : I also know of an *ex*-forester Gopal Ram. He has retired twenty-five years back and has not yet received his pension.

LALA HAVELI RAM :This is a new question.

SARDAR BUDH SINGH : The name of the gentleman I have mentioned may also kindly be included in the list which will be submitted by Kotwal Lakhmi Ram.

653. KOTWAL LAKHMI RAM : In hilly Illaqas when the medicines, not available in the hospitals, for the patients are sent for from the Punjab etc. by post parcel in accordance with prescription of the doctors, customs duty equal to the price is charged for the same.

Will Government exempt this hilly Illaqa from the payment of this duty? If not, why?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : There is no reason to accord preferential treatment to any particular Illaqa in matters of such kind.

654. KOTWAL LAKHMI RAM : (*a*) Are Government aware of the fact that a Kuhl named Nerooj of Tehsil Bhadarwah has been washed away during the flood of 1985 and that a small sum has been sanctioned for its construction.

(*b*) Why has not the said Kuhl been constructed so far?

(*c*) What loss have the zamindars so far suffered on account of the non-construction of the Kuhl.

Will Government remit the revenue in proportion to the loss suffered? If not, why?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Yes. Rs. 800 were sanctioned for its repairs, by the Private Domains of His Highness the Maharaja Bahadur.

(*b*) The funds lapsed with the close of the year to which they related and could not therefore be utilized.

(*c*) *1st part.*—The collection of actual figures will require time.

2nd part.—If it is substantiated that as a result of washing away of the Kuhl, the lands have changed their aspect from irrigated into unirrigated, the difference between the *Abi* and the *Barani Partahs* will be remitted under rules on the subject.

KOTWAL LAKHMI RAM : Will any funds be supplied for the reconstruction of the Kuhl?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The matter will be considered.

KOTWAL LAKHMI RAM : Six years have elapsed and yet the matter has not been considered.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : You may submit an application.

SARDAR BUDH SINGH : Is it the duty of the zamindars alone to apply and is it not the duty of the Patwaris and the Girdawars to see whether an area is or is not irrigated? Why is any burden being thrown on to the shoulders of the member?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : I had to tell you this, for how can anything unconstitutional be done?

SARDAR BUDH SINGH : But why is the member asked to prove what he has said?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : That must be done.

655. KOTWAL LAKHMI RAM : (*a*) Are Government aware that the zamindars of hilly Illaqa of District Udhampur mainly depend on their cattle which is taken to forests and Dhars for the purpose of grazing and that ferocious wild animals kill them and their cattle?

(*b*) Will Government grant unrestricted permission of firing at all other enimals except stags, musgbears and brown bears? If not, why?

(*c*) Are Government prepared to permit licensees in accordance with the practice in Jammu Province for killing all other animals except as named in part (*b*) above? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) 1*st part*.—Yes.

2*nd part*.—Government has no information on the point.

(*b*) Free permits have already been granted to the zamindars possessing registered guns to protect their crops and cattle against wild animals which is considered sufficient.

(*c*) In Udhampur and Ramnagar Tehsils of the District, Jammu Province rules are already in force. In Bhadarwah and Ramban,, Kashmir rules have been made specially applicable as conditions here differ from those of other two tehsils.

As for Kishtwar Tehsil no change has been introduced. Even before the introduction of these rules in Jammu Province, Kashmir rules applied to this tehsil.

656. PANDIT RAM CHANDRA DOBEY (Kathua :Hindu) : During the last session of the Praja Sabha it was stated that due to there being no timber market in any of the three tehsils of District Kathua, the people are facing great difficulties. In reply to this the Government stated that arrangement for the sale of timber would be made at a suitable place and a definite reply would be given in the next session.

No arrangement has so far been made in this behalf. Are Government prepared to establish such a market at Jasrota, the most suitable place for this purpose and thus relieve the subjects from this trouble? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The reply given to Q. D. No. 485 of the October 1935 session was that the Divisional Forest Officer appoints a contractor for the sale of timber at Kathua. The residents of Kathua and Jasmergarh can get timber from the Chhanda contractor appointed by the Department. Arrangements to meet any further demand are under consideration. It is, however, mentioned for the Member Praja Sabha's information that there are two registered timber Depots maintained by Chhanda contractors at Kathua and Basohli under the (Forest sale of timber) Regulation No. 3 of 1987.

As regards Jasrota, the fact is that it is not a town but a small village hence opening of a sale depot there is not practicable.

PANDIT RAM CHANDRA DOBEY : Where and what site is either of these two depots situated in the Kathua and the Basohli Tehsils. What decision has been arrived at with regard to the further demands, arrangements for the fulfilling of which were promised in encouraging terms in the last sessions of the Praja Sabha? Moreover which are the sites that have been chosen for the opening of these Depots?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It has just been stated that wood for building purposes can be had in Basohli, it has previously also been said that the same is the case with Kathua.

PANDIT RAM CHANDRA DOBEY : Last year it had been stated that the Chhanda contractor makes the arrangements.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Yes, the Chhanda contractor has been appointed.

PANDIT RAM CHANDRA DOBEY : I meant that a State Depot should be set up here, as in Akhnur, because in these three tehsils there is not a place where wood may be sold. Jasrota is a central place for all the three tehsils. Last year it has been stated that this matter would receive consideration. I should therefore like to know what decision has been arrived at about it. Will a depot be opened at Jasrota? Moreover what is the decision that has been reached about the matter that was under consideration?

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : It is still under consideration.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : It was not deemed proper to open a depot.

657. PANDIT RAM CHANDRA DOBEY : During the last session of the Praja Sabha the attention of the Government was invited to the wretched condition of the road in District Kathua, especially Basohli-Jammu road, Basohli-Ramnagar road, Basohli-Bhadarwah road and the Government stated that the question regarding the expenses of repairing etc. of these roads would be replied in next session.

Will Government please place before the House the scheme

of repairing each of these three roads whereby facilities may be provided for the traffic and trade communications of Basohli?

THE HON'BLE MR. WAJAHAT HUSSAIN : *Basohli-Jammu Road.*—A fair weather motor road runs from Jammu upto 16 miles beyond Kathua. Some portion of the road from Kathua to Basohli has been made fit for motor traffic. The remaining portion upto Basohli will be made fit as soon as funds are forthcoming.

Basohli-Ramnagar and Basohli-Bhadarwah Roads.—The following provisions have been sanctioned in the current year's budget for maintenance of these roads :—

Basohli-Ramnagar	...	505
Basohli-Bhadarwah	...	1,000

PANDIT RAM CHANDRA DOBEY : Are these funds the same that are being provided for the last many years for ordinary annual repairs? Has any special grant been made under this year? It had been stated in the last session that special grants are needed for special work.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Rupees five hundred and one thousand have respectively been provided for these roads in the budget. Perhaps this provision is the annual repairs one.

MIAN AHMED YAR : Sir, I have a supplementary question to ask. How many miles of the Basohli Road are fit for lorry traffic from Kathua onwards and how many miles of it still remain unfit for such traffic?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : About sixteen miles of the road have been completed.

658. PANDIT RAM CHANDRA DOBEY : During the last session of the Praja Sabha it was stated on behalf of the Government regarding the construction of a bridge over the river Ujh that at the place where the Jammu-Kathua road crosses the river, it has been distributed into several branches and therefore the construction of a bridge at that place requires heavy expenditure and that hence the question of the construction of a temporary bridge is under the consideration of the Government. The subjects of Jasrota request that the bridge be constructed at a place near Jasrota not far from

present Jammu-Kathua road, where the river flows in one stream and therefore the bridge can be constructed at much less cost.

Are Government prepared to consider the question of constructing the bridge at the stated place and can the material of old Tawi bridge be of any use in the construction of this bridge?

THE HON'BLE MR. WAJAHAT HUSSAIN : Several temporary bridges are under construction over the Ujh river at places where Jammu-Kathua road crosses it. The question of a bridge at Jasrota does not arise.

PANDIT RAM CHANDRA DOBEY : Is the bridge a permanent or a temporary one?

THE HON'BLE MR. WAJAHAT HUSSAIN : The bridge is a temporary and not a permanent one.

PANDIT RAM CHANDRA DOBEY : When the construction of a permanent bridge is brought under consideration will Jasrota be kept in mind?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes, Jasrota will be kept in mind.

659. PANDIT RAM CHANDRA DOBEY : After the abolition of Settlement Department in the State, the arrangement for revenue training is highly unsatisfactory, and the condition of revenue records is growing worse.

Are Government prepared to at least open a Patwar school in Jammu Province at an early date? If the answer to this be in the affirmative will Government place before the House the scheme under consideration in this behalf?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : 1*st part*.—After the abolition of the Settlement Department two training camps were started for imparting Settlement and Revenue training to revenue candidates and the arrangement was quite satisfactory.

2*nd part*.—Opening of a Patwar school in Jammu has already received the sanction of the Government and there is no scheme under consideration now.

PANDIT RAM CHANDRA DOBEY : About part I of the reply I further want to know the number of boys who have received education from the training schools that had been opened?

As for part II, I would like to know when a school will be opened in Jammu and what the number of the apprentices in it will be?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This will be stated later on, on the opening of the schools. The reduced staff of the Settlement Department is enough to provide all Patwaris.

660. AGA SYED HUSSAIN JALALI (Rainawari, Maharajgunj, Srinagar City :Muslim) : (*a*) Is it a fact that a Government Chinar tree has been in the consignment of Aga Sher Ali resident of Shahid Ganj for many years? Why have not the Government taken it back so far?

(*b*) Who will be responsible for the payment of hire that will have to be paid for its being there so far?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) It was sold to him by public auction.

(*b*) Does not arise.

MIAN AHMED YAR : Is it not a fact that the concerned Wazir-i-Wazarat has asked for permission to pay Rs. 20 as rent?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This is a new question.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : That may be so. But how is he to know all that. You can put a new question.

661. PANDIT AMAR NATH KAK (Srinagar City North : Hindu) : Will Hon'ble the Minister-in-charge of public health be pleased to state, what active steps have been taken to reduce the rate of infant mortality in the Kashmir Province since the last census? What was the rate at the time of last census and what was the rate in the years 1990, 1991 and 1992?

THE HON'BLE MR. WAJAHAT HUSSAIN : The female travelling dispensary is doing what it can for maternity cases the rough handling of which leads to mortality.

662. PANDIT AMAR NATH KAK : Will Hon'ble the Minister-in-charge of Police be pleased to state :—

(*a*) Whether at the time of the last nomination for the four posts of Sub-Inspectors or Assistant Sub-Inspectors of Police any Kashmiri Pandits had also applied for nomination?

(*b*) If so, what were their qualifications and claims?

(*c*) What were the qualifications of the candidates of other communities who have been nominated?

(*d*) Were any Kashmiri Pandit called for interview also?

(*e*) Has any Kashmiri Pandit been nominated?

(*f*) Have the claims and qualifications of Kashmiri Pandits been ignored?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) 23 Kashmiri Pandits applied for the posts of Assistant Sub-Inspectors.

(*b*) Their qualifications were :—

B. A.'s	...	9
F. A.'s	...	3
Matrics	...	9
Read upto Matric	...	2

Among them two were sons of retired Police Officers.

(*c*) The four selected candidates were matriculates.

(*d*) 7 Kashmiri Pandits were called for interview.

(*e*) No.

(*f*) No.

PANDIT AMAR NATH KAK : Out of the Kashmiri Pandit candidates who had been called for interview, was there any son of a retired Police Officer?

THE HON'BLE MR. WAJAHAT HUSSAIN : Most probably there may be so. But I cannot tell at this time.

PANDIT AMAR NATH KAK : In the last session it was stated that preference would be given to the sons of the retired Police officials. Was this done?

THE HON'BLE MR. WAJAHAT HUSSAIN : The claims of others were considered superior.

PANDIT AMAR NATH KAK : Because the others were matriculates and the Pandits were B. A.

THE HON'BLE MR. WAJAHAT HUSSAIN : No, there were other claims also, such as agriculturists and family claims.

663. PANDIT AMAR NATH KAK : Will Hon'ble the Revenue Minister be pleased to state :—

(*a*) What orders have been passed for the sale of agricultural land belonging formerly to the family of Dewan Narsingh Das, Besheshar Das and Tej Ram situate in the Tehsils of Kulgam and Badgam?

(*b*) What is the total area thus made available for sale in these tehsils?

(*c*) Will the Government divide it in small parts so as to make it available for poor people also to compete in the purchase of this land?

(*d*) Considering the urgent need for providing employment to the educated unemployed will the Government reserve these plots of lands for the educated unemployed only and grant them in small plots to enable them to take to agriculture as means of livelihood?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) To be sold by auction.

(*b*) 5,621 kanals and 13 marlas.

(*c*) No such wish was expressed by poor people.

(*d*) No. The question of providing employment to the educated unemployed has no direct bearing to the reservation of this particular land and this will not solve the problem.

664. MALIK GHULAM HUSSAIN (Kulgam :Muslim) : How many applications for license for keeping arms have been granted by the Government during the last three years in Jammu and Kashmir Provinces?

What is their separate number in either of these Provinces?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Kashmir 89. Jammu.—No restriction existed on possession of areas in Jammu hence no regular permission issued.

665. MALIK GHULAM HUSSAIN : Have Government fixed any standard of percentage for checking Girdawari?

(*a*) If the answer be in the affirmative, will Government please state as to what average has been declared necessary for Girdawars, Naib-Tehsildars, Tehsildars and Wazirs-i-Wazarat? Separate standards of checking by each of these officers may be stated.

(*b*) What was the average checking of these officers in Kashmir valley during the last three years. (Statement showing names of the officers with designation and the particular years may be supplied)?

(*c*) Will Government state the names of those officers whose average checking has been below the prescribed standard in any year and the details as to what action has been taken against them?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No; the Government has not defined any standard of percentage for checking of Girdawari. Ample provision has, however, been made in para 14 of the Standing Order No. 22 regarding Crop Inspections for proper and affective check of Girdawari. The Field Qanungo who is responsible for corrections of Patwaris' work is required to check very carefully the work of a Patwari twice or thrice during the Girdawari. Other Supervising Officers are also required on different occasions to check sufficient number of estates sufficiently distant from each other.

(*b*) The statistics called for by the Member Praja Sabha could not be collected within the time available. To collect figures in respect of each Girdawar and superior officer would be too laborious and lengthy a task.

(*c*) This is a purely Administrative affair, officials found remiss in the carrying out of instructions are dealt with departmentally.

666. MALIK GHULAM HUSSAIN : (*a*) Is it a fact that few years ago "Chaharsala-Jamabandi" used to be made at the head-quarters of the tehsil, under the supervision of Naib-Tehsildars and Tehsildars?

(*b*) Is it a fact that departing from the above practice, the Patwaris have been authorised to prepare such important records without any supervision at their head-quarters?

(*c*) If the answer to (*b*) be in the affirmative is there no apprehension of clear loss to the tenants and the proprietors?

(*d*) Will Government by prescribing a percentage standard of the checking of the four-yearly assessment, reduce the possibilities of incorrect entries?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) No, as Jamabandies are prepared by Patwaris at their head-quarters under proper supervision of officers.

(*c*) Does not arise.

(*d*) This is already provided for in the Revenue Department Standing Order No. 23-B-Records of Rights-Jamabandies.

667. MALIK GHULAM HUSSAIN (Kulgam :Muslim) : (*a*) Is it a fact that like the procedure for the judicial cases Revenue officers have directions to put down with their own hands the statements and interlocutory orders in Revenue cases?

(*b*) If the answer be in the affirmative, will Government for the information of the House please supply a statement as shown hereunder :—

(A statement for one year for the Tehsils of Anantnag and Kulgam is required).

1	2	3	4	5	6
Name of the officer.	Designation.	The number of statements as have been put down by the Revenue officer himself.	The number of statements got written by the Moharrir.	The number of interlocutory orders which officer has himself written.	The number of interlocutory orders which have been got written by Moharrirs.

(*c*) If the answer to part (*a*) above be in the negative, will Government please direct the Revenue officers to write with their own hands the statements and the interlocutory orders so that bribery and injustice may be stopped to some extent?

(*d*) If the answer to (*a*) be in the affirmative, will Government please state as to what action has been taken against the officers who have acted against these directions?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes. Ailan No. 23, dated 16th Phagan 1973, lays down that in Revenue-Judicial cases the Revenue officers should record statements of the parties and their witnesses as well as the judgments with their own hands unless they may be physically unable to do so. The Revenue officers have too much to do with their own hands ; it cannot be expected from them to write even interlocutory orders.

(*b*) Such statement cannot be supplied within such a short time, as the files of the decided cases are consigned to old records in Srinagar and it will entail a good deal of expenditure to get down from the old records by the Tehsildars concerned. Labour and expenses involved for the preparation of such a statement will be out of all proportion to the result desired to be achieved.

(*c*) In view of (*a*) does not arise.

(*d*) No specific instances have been quoted so no action can be taken.

668. KHAWAJA SAIF-UD-DIN SHAH (Baramulla :Muslim) : Will Government please state what amount per annum has been spent during the last ten years for repairing the Baramulla bridge. Has the bridge become fit for crossing after this repair?

How did Government satisfy themselves that the said amount was rightly spent and why is the condition of the bridge still bad?

THE HON'BLE MR. WAJAHAT HUSSAIN : During the last ten years Rs. 24,605 (details given below) have been spent on the repairs to the Baramulla bridge.

		Rs.
1982	...	813
1983	...	15,627

SRI PRATAP COLLEGE LIBRARY
SRINAGAR.

		Rs.
1984 1st six months	...	1,041
1984-85	...	39
1985-86	...	103
1986-87	...	180
1987-88	...	3,877
1988 89	...	628
1989-90	...	1,692
1990-91	...	485
1991-92	...	120

The bridge is in a good condition and quite safe for foot as well as pony traffic.

PANDIT GOBIND RAM KABU (Baramulla :Hindu) : Have you ever seen the bridge yourself.

THE HON'BLE MR. WAJAHAT HUSSAIN : No, I have never seen the bridge.

669. KHAWAJA SAIF-UD-DIN SHAH : Will Government please state as to what measures they have adopted to remove indebtedness amongst the zamindars?

If the answer be in the affirmative, what are they?

If the answer be in the negative, what are the reasons therefor?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : To remove indebtedness from amongst the zamindars is as impracticable as to remove intemperance or other deep-rooted social evils. The Government has, however, done what was practical to afford them relief from heavy usurious charges and to provide means of obtaining loans on easy terms by the enactment of Agriculturists' Relief Regulation, starting of Co-operative Department and Food Control Department. The Government had also introduced in the current

Session of the Praja Sabha a bill entitled "Jammu and Kashmir Government Aid to Agriculturists and Land Improvements Regulation" which has since been passed.

670. KHAWAJA SAIF-UD-DIN SHAH : Is the principle with the Kashmir Government, that they want to spread female education amenable to facts? If it is so, what are the means adopted in this behalf?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes. Schools are being opened every year.

671. KHAWAJA SAIF-UD-DIN SHAH : Is it a a fact that "*Mujawaza* Shali" has been levied on Illaqa Kandi Narwa of Baramulla?

If the answer be in the affirmative is this Illaqa able to pay *Mujawaza*.

If the answer be in the negative, why has the *Mujawaza* been imposed?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Demand has been levied on these villages on the recommendation of the Revenue authorities concerned after their having verified the *Assamis'* capacity.

During years of abnormal crop conditions in the area the *Assamis* concerned can apply for remission under the usual procedure.

(*c*) Do not arise.

672. KHAWAJA SANAULLAH SHAH : (*a*) Are Government aware that the area held by tenants-at-will under the Government, has not been entered in the Settlement records, as held by the zamindars with the rights of proprietorship therein, but rather the area being entered as Khalsa the zamindars have been held as tenants-at-will under the Government although these areas have been assessed to fixed land-revenue?

(*b*) Will Government consider the fact that when this area is situate around the proprietary lands of the zamindars why so small an area is not entered in the Settlement records as proprietary land of the zamindars?

(*c*) If it is a fact, will the benign Government with a view to show favour to the subjects issue orders to enter such areas as held under proprietary rights?

(*d*) If so, when it is expected?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) and (*b*) Yes, there are *Najaiz Nautors* and although under rules the *Nautor Kunindas* were liable to ejectment, yet out of generosity, His Highness' Government took a very lenient view and ordered under Resolution No. 22 of 25th August 1924 that they might be entered as tenants-at-will, paying rent at land-revenue plus cesses.

(*c*) The reply is in the negative.

673. KHAWAJA SANAULLAH SHAH : (*a*) Are Government aware that the zamindars have been ordered to be ejected from the Kachcharai area which was cultivated by them before the last Settlement, after charging from them land-revenue calculated from the year of their occupying the said area and that the zamindars having been ejected, the area is still lying uncultivated but the revenue for it is being charged from the zamindars?

(*b*) If so, do Government realize that they are entitled to the refund of the amount recovered from them for the period subsequent to their ejectment?

(*c*) If Government are really conscious of this trouble of the zamindars, will Government refund such sum to the zamindars or else permit them to recultivate the said area?

(*d*) If the answer to part (*c*) be in the affirmative, will Government please state as to when necessary orders will be issued?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*), (*b*), (*c*) and (*d*) What is done in such cases is that after the ejectment of *Najaiz Nautor Kunindas* from the Kahcharai area no land-revenue is recovered. If, however, the Member Praja Sabha brings to notice any specific instance, the matter can be enquired into and the revenue, if any, realized after ejectment will be refunded.

The question of the recultivation of these areas in the alternative does not arise.

674. KHAWAJA SANAULLAH SHAH : (*a*) Are Government

aware of the fact that no rent is paid for the village Maktabs nor any water-carrier, sweeper and 'Tats' are provided therefor?

(*b*) If it is a fact, will Government consider the question of granting rent and providing other necessaries for the Maktabs as is done in the case of Primary schools whereby the development of education may be expected through the Maktabs?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) Maktab teachers are given an allowance of Rs. 10 per mensem each. This allowance is given as an aid to run a Maktab and the question of supplying of Tats etc. does not arise.

675. KHAWAJA SANAULLAH SHAH : (*a*) Are Government aware that the zamindars are made to contribute rateably to the estimated expenses for the construction of tri-junctional pillars and that the tri-junctional pillars are got constructed on contracts and these pillars are got constructed after deducting a portion of amount from the contract?

(*b*) If it is a fact, will Government please consider the question of refunding the amount thus saved.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) *1st part.*—Yes.

2nd part.—In some and not in all cases.

(*b*) The Member Praja Sabha is referred to reply to part (*c*) of Q. D. No. 370 of the current session.

676. KHAWAJA AKBAR DAR (Awantipura :Muslim) : Will the Hon'ble Revenue Minister be pleased to state what concession has been granted to the zamindars of Kashmir keeping in view the world-wide economic depression?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The Kashmiri zamindar is fortunate in so far that the economic depression which has hardly hit the zamindars elsewhere has not touched him to that extent. This is mainly due to the facilities which the Kashmir Valley Food Control Department has provided for him. It is the stability of prices and the system of advance payment for Shali *Mujawaza* inaugurated by this Department that has helped him in withstanding the world-wide economic depression successfully.

The Shali producers in the Kashmir valley have been all along getting advances at rates which are much higher than the existing assessment rates and what they used to get from *vad-dars* or private grain dealers in the past. To quote actual figures for the member's further satisfaction in this connection it may be stated that the average rate of Shali advance stands Rs. 3/12/- per kharwar while the assessment rates vary from Rs. 1/12/- to Rs. 1/14/- per kharwar only. Thus the Kashmir valley zamindar is clearly in a position of vantage.

677. KHAWAJA AKBAR DAR : In view of the present circumstances has the period fixed for the payment of land-revenue extended beyond the period fixed for the purpose 15 or 16 years ago? Has any other practical step been taken for the convenience of zamindars?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No. There was no such apparent necessity. Generally Shali advances are given to the zamindars before the revenue demands fall due. This helps them in meeting the revenue demand to a large extent.

678. KHAWAJA AKBAR DAR : Are Government aware that the six-monthly and yearly dues of several Lambardars of Kashmir valley have been confiscated during the last two years simply for not remitting the land-revenue into the treasury within the period prescribed?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Yes, but this was done only in cases in which circumstances warranted *i. e.* in cases where arrears of revenue demands had accumulated, where it was found that Lambardars did not intentionally keep back the revenue instalments realised the '*Panjotra*' was not confiscated.

KHAWAJA AKBAR RAR : If the zamindar did not pay his land-revenue in time, how is the Lambardar to be blamed?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : You have been informed that Lambardars are paid only for the realization of land-revenue. Lambardars who do not realize land-revenue from the zamindars and enter it in the treasury have their pays withheld.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : If Lambardars did not profit, how could they file such major cases?

679. KHAWAJA AKBAR DAR : Is it a fact that the work done by Lambardars during the time for which their dues have been con-

fiscated, will be considered as "*Begar*", because these people have not been guilty of any negligence in discharging the duties imposed upon them by the Government?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : In view of the reply given to 794 (*b*) above, this question does not arise.

The chief responsibility of the Lambardar is the collection of revenue in time for which he gets *Panjotra*.

680. KHAWAJA AKBAR DAR : If on account of trade depression the zamindars could not get money to pay land-revenue in time, why was the poor Lambardar held guilty?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It does not appear to be a fact, for when the zamindar is given timely assistance by way of Shali advance both at Rabi and Kharif harvests, there is no reason why a Lambardar should not realize the demand in time. If any specific instances are brought to notice these can be looked into.

MIRZA M. A. BEG : Are the sums advanced by the Food Control Department enough for the payment of land-revenue.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : In some cases the sums exceed the amount that has to be paid as land-revenue.

MIRZA M. A. BEG : What is the case generally?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The same.

KHAWAJA AKBAR DAR : If it be proved that the lack of realization of land-revenue is not due to the carelessness of the Lambardar, will he be paid his with-held pay?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This matter has already received consideration and orders have been issued.

KHAWAJA AKBAR DAR : I am not asking about the tehsils of Jammu only, or of Pratapsinghpura alone. I am enquiring about all tehsils.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Information about other tehsils could not be procured. It will be pro-

cured. We could get the necessary information about Pratapsinghpura only.

KHAWAJA AKBAR DAR : When will the information be given? Will it be supplied in the next session?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : If a reply is wanted, it will be given.

KHAWAJA AKBAR DAR : All right.

681. KHAWAJA AKBAR DAR : Will the Hon'ble Revenue Minister be pleased to state how many Lambardars have been dismissed, and suspended and what amount of '*Panjotra*' has been confiscated during the last two years for not remitting the land-revenue in time into the Government treasury? Figures may please be stated tehsilwise?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : These figures were not available in office records, and the information could not be collected in time for all the tehsils. Sri Partapsinghpura figures show that no Lambardar was dismissed. Only seven Lambardars were suspended and *Panjotra* amounting to Rs. 744/10/- had been confiscated.

682. LALA RAM LAL VAKIL (Poonch :Hindu) : (*a*) Is it a fact that in Poonch the appointments of Hindus and Muslims are made in accordance with the recommendations of the Glancy Commission?

(*b*) If the answer to the above question be in the affirmative, the number of Hindu and Muslim employees of Illaqa Poonch may please be stated.

(*c*) If the answer to part (*b*) be that the number of Muslim employees is greater, the total number of appointments made in the years 1991 and 1992 may please be stated. How may among them were Muslims and how many non-Muslims?

(*d*) If the answer to part (*c*) be this that as compared with Hindus, the number of Muslims so appointed is greater, the reasons therefor may please be stated.

WAZIR FEROZ CHAND (Wazir of Poonch on behalf of the Hon'ble Revenue Minister) : (*a*) The Member Praja Sabha is referred to the reply to Q. D. No. 665 of the last session of the Praja Sabha.

(*b*) The Member Praja Sabha is referred to the reply to Q. D. No. 140 of the present session.

(*c*) The total number of appointments made during the years 1991-92 is 93 of whom 49 are Muslims, 38 Hindus and six Sikhs.

(*d*) The question does not arise.

683. LALA RAM LAL VAKIL : (*a*) Is it a fact that somebody set fire to the mosque of Hari Gehl, Tehsil Bagh of Illaqa Poonch in Poh 1992, after throwing out the Holy Quran?

(*b*) If the answer to the above be in the affirmative, it may please be stated whether some Muslim reported to the Police about the proposed setting on fire of the mosque before the mosque was actually set fire to?

(*c*) If the answer to (*b*) be in the affirmative, it may please be stated as to how many days before this incident the Police received the report and who was alleged to be the accused by the informant?

WAZIR FEROZ CHAND (Wazir of Poonch on behalf of the Hon'ble Revenue Minister) : (*a*) From the fact that no leaf burnt or even partially burnt of the Holy Quran was found amidst the debris of the burnt mosque notwithstanding the best efforts, it is presumed that no copy thereof was burnt alongwith the mosque.

(*b*) No report about the intention of any person to burn the mosque was received by the Police before the burning of it.

(*c*) Does not arise.

LALA RAM LAL VAKIL : Before the Rangyal mosque was burnt, had no information been given in the Court of the District Migistrate?

WAZIR FEROZ CHAND (Wazir Poonch) : In your question you have mentioned the Police only.

LALA RAM LAL VAKIL : The District Magistrate also is a Police officer.

WAZIR FEROZ CHAND (Wazir Poonch) : No. Magistrates are not Police officers.

LALA RAM LAL VAKIL : Is it a fact that some Muslims had been arrested on the offence of burning the mosque.

WAZIR FEROZ CHAND (Wazir Poonch) : This is a separate question. It has no connection with this question.

LALA RAM LAL VAKIL : Why so? Please examine the last part of my question.

684. LALA RAM LAL VAKIL : (*a*) Will Government please state as to how much area belonging to the mosque of village Hari Gehl, Tehsil Bagh of Illaqa Poonch was burnt, and of what value was the building of the mosque and also whether the mosque was strong built or otherwise?

(*b*) If the answer to the last part of (*a*) be that it was not strongly built, it may please be stated as to what amount has been granted by the Government for its re-construction and it may also be stated whether it is being built strongly?

WAZIR FEROZ CHAND (Wazir of Poonch on behalf of the Hon'ble Revenue Minister) : (*a*) Two or three marlas. It valued approximately Rs. 300 and was a Kacha mosque.

(*b*) The administration has spent Rs. 500 on the reconstruction of the mosque roofing it with tin and making it Pacca.

LALA RAM LAL VAKIL : Who prepared this estimate?

WAZIR FEROZ CHAND (Wazir Poonch) : Revenue officials.

685. LALA RAM LAL VAKIL : (*a*) Is it a fact that there was an agitation in Tehsil Bagh of Illaqa Poonch in Magh 1992 and on this account the Poonch Government felt the necessity of calling military from the State?

(*b*) If the answer to the above question be in the affirmative, it may please be stated whether this agitation was started by the Hindus or Mohammedans and this also may be stated whether the Poonch Government intend to realize the expenses for the military from the agitators or not? If not, what are the reasons therefor?

WAZIR FEROZ CHAND (Wazir of Poonch on behalf of the Hon'ble Revenue Minister) : (*a*) In connection with the burning of the Hari Gehl mosque on the night of 17th Poh, 1992, the Muslims of neighbouring villages marched in Jathas of thousands towards the burnt mosque several members of which made objectionable and inflammatory speeches. Communal clash was gravely apprehended and it was mainly with the object of having force, to prevent such

clashes at our command, that the military was requisitioned from His Highness' Government.

(*b*) The reply to the first part of this question has been given above. The Poonch administration do not intend to realise the cost incurred in connection with the posting of the military in this Illaqa from the Mohammedans. As with the arrival of the military marching of Jathas and making of inflammatory speeches at Hari Gehl was at an end and the situation there improved ; the administration, taking a lenient view, do not think it expedient to realise anything from the Muslims on account of the cost of the military.

686. CHOUDHARI ABDULLAH KHAN (Jammu Wazarat :Muslim) : Will Government please state whether it is a fact that the zamindars of adjoining villages are not allowed to use timber such as Deodar etc. purchased by them in auction at Akhnoor or other places unless they obtain the permission of the department? If it be a fact, will Government please state what is the use of this provision except that it entails expenses on the purchaser and involves loss of Government property? Do Government intend to remove this hardship which entails loss on both the purchaser and the Government? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The restriction referred to only applies to places within one mile of the river. This restriction has been placed to avoid theft of timber. There is no loss to the Government nor any hardship to the purchaser because the permit is issued free of charge. In view of the above the latter part of the question does not arise.

687. CHOUDHARI ABDULLAH KHAN : (*a*) Will Government please state how many school buildings have been acquired rent-free in the Jammu Province by the Education Department?

(*b*) How many of those rent-free buildings are in the city and how many in towns and where?

(*c*) How many of them are in villages? If the answer in so far as it concerns the city and the towns be in the negative and all the rent-free school buildings are, or have been acquired in villages, will Government please abolish this procedure and grant rent for all school buildings in future? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) 192.

(*b*) None.

(*c*) 192. No.

CHOUDHARI ABDULLAH KHAN : Sir, I submit that when houses are not asked for rent-free in cities and towns why is this burden being thrust on the villages?

THE HON'BLE MR. WAJAHAT HUSSAIN : Villagers are always generous. (Laughter)

CHOUDHARI ABDULLAH KHAN : That is not the thing. Villagers are not paid any rent. Every kind of burden is being thrust on them and therefore they cannot get any schools for themselves. They would all like to get rent for their houses, but obstacles are put in the way of their getting any rent.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Please ask a question. Do not discuss.

CHOUDHARI ABDULLAH KHAN : The question is whether the Government is prepared to pay rent in future for the buildings of rural schools, if not, why not?

THE HON'BLE MR. WAJAHAT HUSSAIN : Of their own accord zamindars allow rent-free houses for schools. How then can we pay them any rent?

688. CHOUDHARI ABDULLAH KHAN : Will Government please state what is the criterion for the inclusion among agriculturists classes, of Kashmiri classes Bats, Maliks, Rathars, Zars etc. who have settled in different districts in the Jammu Province and are primarily engaged in cultivation and why they have been excluded from agriculturists classes?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : 1*st part*.---Classes of persons, majority of whom depend upon agriculture or occupations subservient to it as the main source of their livelihood are notified as agricultural classes.

2nd part.—Kashmiri Muslims other than Khojas have been notified as agriculturists in such districts of Jammu Province (Kathua, Reasi and Udhampur) in which they satisfied the condition laid down above.

689. SARDAR KANHAYA SINGH (West Kashmir :Sikh) : Is it a fact that in the village Kotli, Tehsil Muzaffarabad there is great

scarcity of drinking water? In the last session of the Praja Sabha the Hon'ble Revenue Minister had stated that the Government had every sympathy in this respect and would supply this need of the village. Will Government grant aid in this case as they do in the case of water supply in Kandi Illaqa? Have Government taken practical steps in this connection? If the answer be in the negative, will Government supply this need next year?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Yes. The local Wazir thinks that it would not be useful to construct a well as the village lies on a high level. He considers it advisable to provide the village with a tank. The P. W. D. will be asked to prepare necessary plans and estimates. As soon as they get ready work will be started subject to availability of funds.

690. SARDAR HARI SINGH (Wazarats Jammu, Udhampur etc :Sikh) : Will Government please state why full pension is not given to Lala Sain Dass and Lala Harcharan Dass, Inspectors Sericulture, Jammu, whose services were transferred from other pensionable departments and who had been remitting their commission fees into the treasury under orders from higher officers and with the approval of the Accountant General, since 1972?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Lalas Harcharan Dass and Sain Dass joined the Sericulture Department by transfer from other Government Departments after 7th Har 1963 hence under note (1) to Article 249 Kashmir Service Regulations their service in the Sericulture Department is non-qualifying and they are not entitled to full pension under the rules. If they have been refunding their shares of the commission, they can claim refund.

691. SARDAR HARI SINGH : If only those employees whose services were transferred to Sericulture Department prior to 20th June 1906 are entitled to this right under foot note 1, para 249, Kashmir Service Regulations, how could the transfer take place at a time when Jammu Silk Factory had not even come into existence?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Although the Sericulture Department was first created in the Kasmir Province only and was extended to the Jammu Province later on, the rules already in force remained unchanged and were applied to the Jammu Province as well.

692. SARDAR HARI SINGH : If this para was not applicable in case of Jammu employees, why was the option demanded from

the said employees and why did the Accountant General credit and debit the commission money towards the pension of the Sericulture employees in the audit for twenty years and why was a separate rate of commission for the work fixed in the budget?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Unless instances are quoted where employees who joined the Department after 7th Har 1963, were given the option of choosing between commission and pension, no answer can be given. The working and profits in Jammu Sericulture being less than those in the Kashmir Sericulture a separate rate of commission was fixed for Jammu Sericulture to encourage the staff.

693. SARDAR HARI SINGH : If the officers of the Sericulture Department or the Accountant General have got the commission fee illegally refunded from these employees, will Government do justice to the employees who have suffered for nothing by amending this rule in accordance with the present circumstances?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : This part of the question is not very clear, but the issue raised therein is already under correspondence between the Departments concerned.

SHORT NOTICE QUESTIONS.

MIAN QURBAN AHMED (Kathua :Muslim) : 1. Is it a fact that Government have demanded a security for Rs. 100 from the "Tarjuman-i-Kashmir" without any warning and without any fault on its part? If so, why?

2. Are Government prepared to withdraw this order? If not, why?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : 1. Yes. But the paper has also been warned once.

2. No.

PANDIT RAM CHANDRA DOBEY : There is a rumour that a big contract has recently been given in the State to the Tata Iron Company. Will the Government please lay on the table of the House the provisions of the agreement made with that company?

2. It is again rumoured that the matter of granting a sapphire lease is also under consideration. Will the Government please

lay on the table of the House for the information of members the details of income and expenditure of the last lease? Also will the Government please state the terms of the proposed present lease?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : In the Reasi Tehsil zinc blinde is to be found in an area of more than twenty miles and twenty prospecting licenses for this, have been granted to the Tata Iron and Steel Company Ltd. for two years under the rules laid down for the working of mines and the finding of minerals. The provisions are given in those rules. A copy of the agreement has been placed on the table of the Praja Sabha Sad.

The sapphire mines of Sonjam have been given on contract for three years to Wazir Tej Ram. Messrs Hakim Singh and Co. had been working the sapphire mines of Sonjam during the last three years. The result of their work is given below :—

Year.	Realized royalty.	Expenditure on guard etc.
	Rs. a. p.	Rs.
1933 ...	27,296-4-4	1,066
1934 ...	41,688-4-0	2,536
1935 ...	under consideration.	2,461

PANDIT RAM CHANDRA DOBEY : Keeping in view the small expense and the great profit would it not be proper for the State to take up the work of mining on the usual departmental lines ; more so when only 30 per cent. of the profits goes to the State.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This is a new question. The issue raised needs thought.

SARDAR BUDH SINGH : Has a prospecting license been granted to Wazir Tej Ram?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Yes.

SARDAR BUDH SINGH : Has he got an English partner?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No.

SARDAR BUDH SINGH : Have they called for the services of an expert?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : How can they start work without the help of an expert?

SARDAR BUDH SINGH : Had anybody offered a higher tender than Wazir Tej Ram?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Tenders are out of question. Royalty is demanded.

SARDAR BUDH SINGH : Did nobody offer a higher royalty than him?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You are cross-examining on new points. Put in questions. I allow questions without limit. Time should be allowed for the gathering of informations.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now we will take up the resolutions.

The Assistant Secretary then read the following resolution of Pandit Amar Nath Kak :—

> "This Praja Sabha recommends to the Council that arrangement be made in boys and girls schools for teaching Hindi as an alternative vernacular".

PANDIT AMAR NATH KAK : Sir, many questions about the number of Hindu students in schools and the arrangements existing therein for the teaching of Hindi were put to the Hon'ble Home Minister during the last session of the Praja Sabha. Moreover it was also asked if any arrangement existed in these schools for the teaching of Hindi as an alternative vernacular. I submit that it is in view of all this that this resolution has now been brought forward. It has mostly been stated that in many places Hindu students are in a majority. Still it was never submitted that Hindi should be taught as an alternative vernacular in those schools. Therefore the necessity of tabling this resolution has been all the greater.

I submit that in reality there is no difference between the two subjects Hindi and Urdu; the difference to a large extent is of script only.

Hindu students and their parents want that there should be some arrangement in the schools for the teaching of Hindi as an alternate vernacular to Hindu boys and girls. The object is that all subjects—Arithmetic, Geography, Hygiene and vernacular should be taught in the Hindi script in Primary schools though the subject-matter may be the same as in Urdu, so that Hindu students may be able to read it with ease and have the further facility of being able to use Hindi as an alternative vernacular in all their subjects. So far, with respect to girls schools (the arrangement was at least in Kashmir, I don't know much about Jammu) that there were separate schools for both Hindu and Muslim girls. Complete arrangements for the teaching of Hindi and Urdu respectively were to be found in Hindu and Muslim Girls Schools. A few years back it was felt that there was no need of making this arrangement on a denominational basis. Girls schools of a mixed character were started. Parents, mostly in Kashmir, are feeling greatly inconvenienced. In some schools there is no arrangement for the teaching of Hindi and the girls have, per necessity, got to study in a language which their parents do not like to teach them.

Hindi or Sanskrit teachers are generally not to be found on the staff of schools for boys. There may be a teacher in a school here and there but you will never find more than one Hindi teacher in a Primary school and more than two Hindi teachers in a Middle school. There is no provision here for the teaching of Sanskrit according to the Punjab Educational Code and curriculum, According to the present curriculum and according to the Punjab Educational Code, the teaching of Hindi as an additional vernacular is not permissible. The procedure outside is that only one vernacular is being taught and the aim of teaching only one vernacular is that when all subjects Arithmetic, Geography and Hygiene are taught in Urdu there, it cannot be possible for any Hindu student to give up Urdu and take up Hindi instead, because he cannot study the other subjects in Hindi. When these students go up into the first Middle class, they have got to discontinue Hindi, because all subjects are taught in Urdu in the Middle Department.

As for Girls Education, the object of it is not to prepare all of them for Government service. I submit that some of them can go into either the Medical profession or the Teaching Department. The aim of others is to acquire education for their personal needs and use as also for their religious and social betterment. All the religious literature of Hindus is in Hindi, so also their literature about social uplift. Therefore parents want that there should necessarily be an arrangement in all girls schools for the teaching of all subjects in Hindi for Hindu girls.

Now comes the other side. The object of all rural schools for boys is the same as that of girls schools. These boys want that by reading upto the fourth primary class and acquiring some intelligence they should be fit enough to study their social and religious literature. What is it that happens under the present conditions and what again is the likelihood of taking place? When a village boy reads upto the fourth or the fifth primary standard, he goes to his village and within a couple of years forgets all.

He almost reverts to illiteracy again. I mean to say that in such primary schools some arrangements should be made for the teaching of Hindi and the betterment of Hindus should be kept in view. It is not necessary for the Hindu boys of towns like Srinagar or Mirpur and such other places where Muslims are in a majority, to apply to the authorities for providing them facilities for the learning of Hindi as an alternate vernacular. The Government should itself arrange to provide such facilities in places like this so that students may themselves be prompted to a study of Hindi. Education through the medium of Urdu is imparted even without any applications to that effect. It would be proper to treat the imparting of education in Hindi in the same way.

Let us calculate roughly the number of Hindu students in the State. We find that the number of Hindu and Muslim students in the Primary Schools of Jammu Province is 17,000 and about 12,000 respectively. Similarly in the Kashmir Province the number of Hindu and Muslim students is ten thousand and thirty-two thousand respectively. This means that the total number of Hindu students in the State is 27,000 and of Muslim students 44,000. The communal proportion of Hindus and Muslims of the student community works at 2.5 : 4 *i. e.* the number of Hindu students receiving education is more than half the number of Muslim students in the State. The number of Hindu students being so great, there is no reason why they should not be taught all the subjects in Hindi.

I should like to give an instance in point. In the Bihar Province, the number of Muslim students is 25 per cent. In the newspapers there, as also by various representations, efforts are being made to induce the authorities to necessarily make some arrangement for the teaching of Urdu. Only the other day education in Urdu has been declared obligatory in every school there.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Why are you quoting Bihar?

PANDIT AMAR NATH KAK : Because the reply to this reso-

lution is to be given by the Hon'ble Home Minister. I have reminded him of his homeland.

I was saying that making arrangements for the teaching of Urdu has been declared obligatory in a place where Muslims form 25 per cent. of the student community. In our State Hindu students exceed more than half the number of Muslim students. Why should not such an arrangement be made here too then? This arrangement is essential from the viewpoint of population.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You mean more than half of the total population.

PANDIT AMAR NATH KAK : No, more than half of the Muslim students.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : All right.

PANDIT AMAR NATH KAK : Keeping all this in view, the acceptance of this resolution by the Government is most important. This submission of the Hindu community is most legitimate. I am, therefore, confident that the Government will bear this in mind and accept the resolution and arrangements will at once be made for the teaching of Hindi in all schools.

PANDIT JIA LAL KILAM : I have submitted some amendments about this resolution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Are these included in your fourteen points?

PANDIT JIA LAL KILAM : I am just coming to those fourteen points of mine, Sir.

THE HON'BLE MR. WAJAHAT HUSSAIN : Who is going to second the resolution, Sir?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (Addressing Pandit Jia Lal Kilam) : Are you going to second it?

PANDIT JIA LAL KILAM : I am supporting the resolution.

PANDIT RAM CHAND RAZDAN : I second it.

PANDIT GOBIND RAM KABU : I support it.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : There is support from two sides.

PANDIT GOBIND RAM KABU : While supporting the resolution of Pandit Amar Nath Kak, I want to submit that he has proved by the help of statistics, the number of Hindu students in the State and their proportion to Muslim students. In the Province of Bihar, the number of Muslim students is 25 per cent. of the total and still satisfactory arrangements have been made there for the teaching of Urdu. If that could be done in Bihar, I see no reason why a satisfactory arrangement should not be made for Hindu students in the State. I am confident that the Praja Sabha will consider the resolution sympathetically and pass it.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Yes, Mr. Kilam !

PANDIT JIA LAL KILAM : Sir, I beg leave to submit that when British statesmen justify English Rule in India, they say that unless they feel assured, of the security of India's future and of the fact that Indians can look after the minorities themselves, they cannot quit India. When they feel this is sure they will automatically leave India. No right thinking person can deny that it is essential to have safequards for every community in every country. Men, who know better than I do, have framed certain principles about safeguards.

When were these principles established?

After the Great War the League of Nations Treaty was made. At that time the problem of minorities protection also cropped up and it is now known as the "Minorities Guarantee Treaty". In the different sections of this treaty it has been clearly stated that every minority will have the right to demand protection of its culture, language and religion. If any country has departed from this, it is our Kashmir.

I beg leave to submit that our Education Minister comes from a part of the country where many Muslim poets have served the cause of Hindi. In the Province of Bihar Hindi has been in vogue since long. Many good books have been written in Hindi by the Muslim gentlemen of that place. But it is a pity that our capable, wise and sympathetic Education Minister who comes from Bihar, has not, in this respect benefited us with his wisdom or sympathy. Even in his term of office arrangements have not been made in the State schools for the teaching of Hindi. What shall we say when

he relinquishes his office here ! Perhaps we shall say that we were kept deprived of our rights even in the time of such a Minister. If Urdu could be declared as an alternate vernacular and a court language in a place where the Muslim students form 24 or 25 per cent. of the students community, why cannot Hindi be set up as an alternate vernacular here where the number of Hindu students as compared with Mohammedans is more than half. We should be grateful to Pandit Amar Nath Kak who has tabled the resolution for the teaching of Hindi to Hindu boys. I will say, and without fear of contradiction, that because we are in a powerless minority here, our sentiments are trampled. But let none forget that there is above us the Governor of all Governors.

If we make this demand, is it anyway illegitimate? After all we 24 per cent. people also live in this very place. We should also be given an opportunity of safeguarding our language and our religion. It is always being said that there are financial difficulties. We may get the same reply even now. I submit that financial difficulties cannot be any abstacle to the acceptance of the present resolution ; they cannot be the mountain that needs a Farhad to cut it. (Laughter)

This demand is in consonance with the treaty of the League of Nations. It is no illegitimate demand, nor is it a communal movement. We want lasting peace to reign in the country and that can be possible only by grant of safeguards.

Our demand is a simple one and we appeal to the Hon'ble Home Minister to accept it. Moreover it is duty of our colleagues of the Conference Party also to co-operate with us in this matter. Otherwise I submit they are over-looking an important duty.

Mirza M. A. Beg : You did not co-operate with us when the Black Bill was under consideration. The Conference Party also is not prepared to co-operate with you now.

Pandit Jia Lal Kilam : As long as you behave in the manner in which you do, we will always side with the Government and I will be only too glad to support them.

I submit that the resolution of Mr. Kak is untouched by all communalism. The object of it is merely the safeguarding of our religion and of our culture, civilization and language. It aims at nothing more than the protection of our Dharma. I think that this resolution ought to have been presented by the Government so that the subjects of His Highness may live contended lives.

I have moved the amendment that the words "attended by Hindu students" be inserted between the words 'in' and "Hindus". In his resolution my friend Mr. Kak has put in the words "as an alternate vernacular". To this I want it to be added "in schools attended by Hindu students". I have made it clear that only those schools are meant where Hindu students are to be found. The Education Minister has stated that there are 445 schools in Kashmir. Out of these arrangements for the teaching of Hindi are to be found in nineteen schools. I feel convinced that it is a grave injustice to Hindu students that for ten thousand of them, arrangements for the teaching of Hindi should be found in so very few schools. Under these circumstances, I confidently hope that the House will pass the resolution together with its amendment.

SARDAR KANHAYA SINGH : I have also submitted an amendment.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What do you want?

Do you want Gurmukhi also to be taught as an alternate vernacular?

SARDAR KANHAYA SINGH : Sir, I had submitted the amendment that Gurmukhi should also be included along with Hindi but that amendment has not been incorporated here. In this connection, I want to make it clear to the House that Gurmukhi is the language of the Sikhs. I support Kak Sahib's resolution and submit that the word Gurmukhi be also added to it. Gurmukhi is the pivot of our religious life. Gurmukhi is in vogue in our villages. Even in British India religious instruction has been satisfactorily arranged for. There are adequate arrangements in all Gurdwaras, temples, mosques and other places and the Government has satisfactorily arranged for religious instruction. The Government has even appointed Bhais there and arrangements for the teaching of Gurmukhi have been made in schools. Religious books are taught. In fine in British India every facility for the acquiring of religious education has been provided. I want to know from the Government whether they are prepared to fulfill this deficiency. The Government will mention financial difficulties in its reply. But I submit to the Government that this will not entail much expense. Nothing more than the appointment of a few Bhais will have to be done and our necessity will be provided for.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The request made by Mr. Kak is defferent. He does not want that

Hindi alone should be taught. He wants that everything should be taught in Hindi. He says that Geography should be taught in Hindi. Arithmetic should be taught in Hindi. That is what he says. I have understood him better than you have.

PANDIT JIA LAL KILAM : Sir, kindly refer to the wording of the Resolution. The wordings are "This Praja Sabha recommends to the Council that arrangements be made in boys and girls schools for teaching Hindi as an alternative vernacular".

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Does he mean to say that Hindi should be the medium of instruction or it should be an additional subject.

THE HON'BLE MR. WAJAHAT HUSSAIN : I shall be obliged if he will please clear what he means. So far as I understand what he means to say is that Geography, Mathematics all should be taught in Hindi and as such it should be the medium of instruction and not an alternative subject.

PANDIT AMAR NATH KAK : So far as the girls are concerned, it should be the medium of instruction.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : That is what I have already understood.

Any one else.

SARDAR BUDH SINGH : I want to submit something in connection with the amendment moved by Mr. Kilam about Mr. Kak's resolution. The amendment is that Hindi be taught in "schools attended by Hindu students". I would, in this connection, like to say that there is no Hindi school here. We have got Government schools and students of all religions receive their education there. The amendment is incomprehensible to me.

MIRZA M. A. BEG : (Hear, hear).

PANDIT AMAR NATH KAK : There are some such schools.

SARDAR BUDH SINGH : Students of all religions read in these schools. The amendment is both incomprehensible and impracticable.

MIRZA M. A. BEG : (Hear, hear).

SARDAR BUDH SINGH : You will excuse me, but I believe, you want Hindi to be taught in those schools where there are Hindu students. If there are no Hindu students what is to be done?

PANDIT AMAR NATH KAK : It is not necessary to have Hindi in schools where there are no Hindu students.

SARDAR BUDH SINGH : The religious instruction of Hindus, Sikhs and Muslims is different from each other. Sikhs will say that they should receive religious instruction in Gurmukhi. Muslims and others will also make their own demands. The Hon'ble President has understood this matter very well. Ladakhis, Baltis and Christians will also then make their separate demands about their respective languages.

SARDAR KANHAYA SINGH : Mr. Kak agrees that religious instruction is necessary.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Your amendment cannot be discussed. I have rejected it.

SARDAR KANHAYA SINGH : May I know why my amendment has been rejected?

LALA AMAR NATH KOHLI : Sir, I support the resolution of Pandit Amar Nath Kak asking that Hindi should be the medium of instruction in all subjects for Hindu students in schools attended by Hindu students and that for Musalmans the medium of instruction should be Urdu. The wording of the Resolution is that Hindi should be an alternate vernacular. Hindu students desiring instruction through Hindi should be taught in Hindi. It is not necessary that Hindi, as means of instruction, should be compulsory for all.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Do you want that Hindi should be the medium of instruction?

LALA AMAR NATH KOHLI : Hindi should be the medium of education for Hindus.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : There is difference between the two. Either Hindi should be taught as a different subject or it should be the medium of instruction. Do you want to support that?

LALA AMAR NATH KOHLI : It should be the medium of instruction and not an additional subject.

SARDAR BUDH SINGH : I support Pandit Jia Lal Kilam.

PANDIT LOK NATH SHARMA : Sir, I have got all sympathy will this resolution, because I have received all my school and college education through the medium of Hindi. Upto the time I appeared in my Law Examination I did not know a word of Urdu. My doing this--receiving all my education through the medium of Hindi--never caused any trouble to any teacher or educational authority, because of which they could not educate me through Hindi. Hindi and Urdu are both our spoken languages. Therefore there can be no difficulty in their understanding if common words are made use of, but if difficult words are used, there can be difficulties in understanding them.

I submit that the difference comes about only in the script. If Hindu students want to read their books in Hindi, they may do so and if Muslim students want to read their texts in Urdu, they also may do so. This admits of no difficulty. The Hindu students may read in Hindi and the Muslims may read in Urdu. There can be no difference whether the language used by a teacher in speaking is Urdu or Hindi. If the spoken language is Hindi, Muslims will have no difficulty in understanding it. All Hindi and Urdu words have much similarity between them.

SARDAR BUDH SINGH : Excuse me, it is not a question of speaking but of reading and writing.

PANDIT LOK NATH SHARMA : My friend Sardar Sahib is labouring under a misconception. We do not want that education through the medium of Hindi should be compulsory. We do not want that Hindi should be the medium of instruction. We as Hindus must feel that every Hindu teacher knows Hindi, else our being Hindus has no meaning.

SARDAR BUDH SINGH : That is a different question.

PANDIT LOK NATH SHARMA : Sir, the question is the same, the meaning is the same. Reasons are advanced only with an evasion in view. The Education Minister will perhaps say in his reply that Urdu is the Court Language ; that all business is carried on in Urdu and that Urdu is used in offices and other Departments and that therefore it is important for every body to know it. If from his replies to questions and also from his speeches, any definite thing stated by the Hon'ble Minister can be said to apply to the present issue, is that if anybody wants to secure education with State service as goal, he had better not be educated at all. Education is after all only a means to betterment of human life and rendering it peaceful and contented. This means that all those good

and sacred books which have been written in Hindi to improve the life of a Hindu as such should be placed on the curriculum of school studies. No civilized Government has upon it the duty of suppressing any kind of religious education. It is the duty of every civilized Government to provide food for the hungry and water for the thirsty. Is it not the duty of the Government to provide for the needs of him who asks for cold water and a slice of bread. As I have already said it is important to have Hindi as a medium of instruction and it is not impossible if it is declared as such, for I, as far as remember and it is a matter of great pleasure, there were at least twenty-seven Muslim teachers who knew Hindi very well in the Education Department in 1916. Two of these had even received prizes for caligraphy in Hindi. I submit that neither the reading nor the teaching of Hindi is difficult. I may be pardoned if I declare that Hindi is a language in the teaching of which there can be no difficulty for it is based on phonetic sounds and all languages based on phonetic sounds are easy both to read and understand.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Your phonetic sound may not be any phonetic sound.

PANDIT LOK NATH SHARMA : I am grateful to you, Sir, for your having passed this remark. If you permit me I will explain. If you examine Hindi, Sir, you will find that it works on the principle of vowels.

अआ इई उऊ एऐ ओऔ अंअः

Next we come to consonants, then gutturals, then again nasals and last the palatals. I submit that no other language is based on this system.

Let us now take the comparative consonants of other languages. When teaching English to our children, we say "but" "cut" but when we come to "PUT", we pronounce it as "Poot" and not "put". When asked why this is so, we cannot give any explanation. Let us now take the letter "Mim" of Urdu. It consists of the two sounds "Mi" and "am". As compared to this, we have only one word "Ma" in Hindi. I, therefore submit that Hindi is a very easy language. One consonant in Hindi has only one sound *i. e.* "Ka". You can easily judge whether or not Hindi is an easy language. If the Government wants that we should be able to live as Hindus, it is necessary that arrangement should be made for the teaching of Hindi. This demand had been made in various forms but these have not come in the ballot. Under these

circumstances I strongly support the resolution of Mr. Kak and I hope that there will be no opposition to it. This demand is being made by minority and there is no communal question in it. It is a matter of religion. There is in this no possibility of any harm to any community. We are confident that not only shall we receive a sympathetic reply from the Hon'ble Minister but that practical steps will be taken to give effect to it so that we can also feel assured that our demand has been accepted and our rights have been kept in view.

MR. JAGAT RAM ARYAN : Sir, I stand to support the amendment of Mr. Kilam.

Sir, when the question of decision about the medium of instruction in India arose, Lord Macaulay said that if Englishmen want to be successful in India, then it is important for them to create here men who though Indians by blood and race would in their dress and way of living still be English. When Lord Macaulay said this, he meant, Sir, that a country's culture can be destroyed only when its language is suppressed. It is inevitable that the loss of its culture will mean the annihilation of a country. Hindi is the language of Hindus in India. The suppressing of Hindi will mean destroying Hindu culture and the destroying of Hindu culture will mean the destruction of Hinduism and Hindu nationality.

Sir, as Pandit Sahib has just said that the Hon'ble Home Minister once remarked in reply that people who desire education as a means to securing service make a mistake. If education cannot secure us our bread, it should at least make us cultured. The religious books of Hindus are all in Hindi. Can they then still live as Hindus if they read Urdu alone? Sir, if I am not wrong there are only 13 per cent. Musilmans in the Hyderabad State, but because the Nizam is a Muslim, Urdu is the language of the Usmania University. Why should not Hindi be the language of this State then, because our illustrious Ruler is a Hindu.

Sir, the amendment of Pandit Sahib is legitimate. The object he has in view is an important one. Even though there may be only two Hindu students in a school, there is no reason why they should be taught all their subjects in Urdu, against their will. In fact they should be taught all their subjects *i. e.* Arithmetic, Geography, etc. in Hindi. Hindi as against Urdu should also be set up as a medium of instruction upto the class in which English is the medium of instruction.

I am confident that the House will keep all this in mind and pass this resolution unanimously. (Cheers)

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Moulvi Sahib ! there are only five minutes now.

MOULVI MOHAMMAD ABDULLAH : Sir, I submit that it is being said these days that difference in languages is the cause of the backwardness of the human race. Efforts are being made to discard all old languages and make a new one instead which may be common for all people. Esperanto has in fact been started to overcome these very difficulties ; otherwise every community would like to see its own religious language in vogue. If every language were to be in force in this way, a great impediment would crop up in the way of progress. If this is all a recognised fact, would it not have been better if Mr. Kak had not started this discussion and had instead proposed that the easiest language, one which can aid social and other progress, should be made common for all.

A demand for Gurmukhi has also been made and I hear whispers to the effect that Urdu is the language of Muslims. But I hold that Urdu is not the language of Muslims. Arabic, the language of the Arabian desert, is their language. If voices are raised from one side asking for Hindi to be the medium of instruction in all subjects, voices will then be raised for Gurmukhi from the other side.

Mr. Sharma has said that Hindi is easy to learn and that it is based on phonetics. But I submit that Arabic is the mother of all languages and if Arabic is promoted, it will be the best thing.

کس نگوید دوغ من ترش است

"Nobody says that his curds are sour."

I submit that the aim of all languages is the easy expression of ideas by man. No language should be preferred because a few religious or cultural books are printed in it. I do not support the cause of Urdu because it is our religious language. I support it because it has become the national language of India.

PANDIT JIA LAL KILAM : Question?

MOULVI MOHAMMAD ABDULLAH : Urdu is not a new language but a mixture of all languages. It has not been derived from any particular language. It has become such that the learned, the traders and all use it. There is no difference of Hindu or Muslim

in it. In fact it should be stated that Urdu is the national language of India. If this resolution is accepted, in the name of a religion or for the sake of a community, then, I would submit, the principle of different languages for different religions is also naturally accepted.

Sir, I submit that the Government which holds sway over different communities whose demands are various will be faced with great difficulty if it accepts the demands of every one of them.

There are seven lakhs of Dogras in our country and our His Highness the Maharaja Bahadur also belongs to this community. If on demand by them their literature is put into vogue, it would mean a great inconvenience ; for Baltistanis may also make a similar demand afterwards that the Balti language should be made compulsory. I mean to say that in that case the Government will have to keep in view the interests of every community. Therefore it is the duty of the Government to take a step which may be useful to all communities *i. e.* such a language should be made common as is convenient to all.

Urdu has now become a common language. It is not the language of any particular community. It belongs neither to the Hindus nor to the Muslims. It is rarely that an Arabic word comes into Urdu. Moreover Urdu is now being used in all transactions. Therefore I mean to say that beginning a new thing now will not prove useful in reality and will not at all be of any use.

I next submit that propaganda for Swadeshi is being carried on day upon day in India, and is becoming common. The idea of Swadeshi is catching roots. Urdu is also a Swadeshi language. It had its birth in India. It has not been imported from Arabia or any other foreign country. It has progressed so much by now that all literature can be found in this language. It is at the same time a very easy language. It is not written slatingly like other languages but quite upright. Keeping all these particular qualities of it in view, it is most necessary to have Urdu books for reading in Urdu. Books for reading in Urdu are not for a particular community. They are the common property of the land. To teach therefore, on a matter of this kind now is improper because there cannot be any occasion for changing now an old language, one which has been in use long since.

I did not want to say but since there has been a threat from my friend, I will submit now that it is absolutely wrong to state that teaching of Hindi will safeguard the religion of those, who, as has been said, are in a minority here. I beg leave to say that the Edu-

cation Minister as such is neither a Hindu nor a Muslim. The Glancy Commission had recommended that further arrangements for the teaching of Arabic in schools should be made. When I had an opportunity of talking to the Education Minister about this, he told me that arrangements could not be made, now, because of lack of funds. Though the reply was unpleasant to me, I kept silent, I understood that he is neither a Hindu nor a Muslim. He simply goes straight.

A VOICE : He has no religion. (Laughter)

MOULVI MOHAMMAD ABDULLAH : He did this so that there may be no communal disorder. He suppressed the very name of Arabic. But my friend has again started a communal discussion. In reality this is not at all a communal discussion. This is a literary dicussion. It has been said that Hindi will protect religion. But I fail to understand how either Hindi or Urdu can save a religion. A religion is protected by the character of its followers, (Cheers, Conference Party) and by their high thinking. Is there a religious book the translation of which cannot be found in Urdu? In my library you can find and read the Urdu translation of even the Vedas.

PANDIT JIA LAL KILAM : My friend perhaps means that we should read our religious books and our Bhagwat Gita and the Vedas in Urdu. We shall never do that.

SHEIKH ABDUL HAMID : Who compels you to read?

If you do not want to read yourself, let others at least read.

SHEIKH MOHAMMED ABDULLAH : When education was started in the Kashmir State, the minority drank deep all languages; Persian, Urdu and English. They received education in schools and colleges. If these languages had nothing to do with their religion, then why, in the very beginning, did they not take to the study of Hindi instead of Urdu and Persian? Now that education in Urdu has progressed much, it is being said that Hindi should be taught instead.

My friends themselves received English education, secured degrees, became learned, came to be known as authors and wrote all kinds of books. But now they want that Hindi should be taught. They want it now, when schools and colleges have been set up, reading and writing have become common and Urdu has progressed. I say that it will be improper to amend or interfere with the current curriculum of studies. My learned friends always put forth the

question of minority and majority. But I cannot understand why this is so, for, I believe that unfortunately these two words are not respectively taken to mean only a difference in numbers. Those people are also in a majority who hold high positions and some economic status. People who are poor, who have got a deficient number of jobs in State service, who are uneducated and who are politically weak, make a minority. The community to which my friends belong is politically, economically, educationally and from the view point of State services very advanced and therefore a majority. They are labouring under a misconception in believing that they are in a minority. The poor people who like the dumb coolie are illiterate, are in fact the minority. Therefore to say that they are in a minority is not correct.

Fortunately three Ks (Kilam, Kak and Kabu) are together in the Praja Sabha. (Laughter)

All these three gentlemen are very efficient and they are very influential in the Praja Sabha. But if there were a vowel in between, the three Ks would become a cake, (Laughter) and that would be a different story.

It is important to attend more to the language which is already in vogue. The minority will be safe only, when all such thoughts are banished. The wranglings between Hindi, Baltistani, Dogri and Arabic etc. should be put an end to, otherwise some people will say that Dogri should be the language for them and Muslims will cry for Arabic. They will advance many reasons and say that it is a very nice language, the mother of all languages. Consequently there will be a great disorder.

I declare, not from a communal but from a religious view point that all religions are equally dear to me. Islam and Hinduism are the same to me. In reality all religions are the same.

Character is religion. Noble thoughts make religion. Dress or language is not religion.

The present is a century of awakening and of light. Therefore we should only advance never retard. We must do some useful work.

Defects in language can be asked to be removed. The language instead should not be discarded. I, therefore, oppose this resolution.

PANDIT RAM CHANDRA DOBEY : Sir, I should have been glad if Moulvi Sahib had talked to us out of his old experience. He is our elder and knows well the conditions obtaining in the State. In the beginning Dogri was the court language. People who had come from outside to live in the State were paid ten per cent. less until they learn to read and write Dogri.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Do you mean new Dogri?

PANDIT RAM CHANDRA DOBEY : I cannot say anything about new or old Dogri.

I was saying that many outsiders came to live in the State. They did not know Dogri. Therefore a Council was set up and it opined that there would be great inconvenience in doing all the work in Dogri. Therefore Urdu was adopted instead.

People who began to study Urdu also studied English side by side. In villages, at least in all the villages of Jammu, all trade and transactions are carried on in Dogri and many ledgers written in Dogri have been produced in courts. I believe that the House would agree with me that Hindi should now be the court language, because Dogri too is Hindi. I hoped from the House and believed it would feel and decide that all legislative work should be done in Hindi. Whether our language is Dogri or Hindi, we will try to have it as the court language. I wanted that it should also be proposed in this resolution that Hindi be the court language. But Mr. Kak has confined the resolution to a proposal for the teaching of Hindi in schools only. There is a great demand for this and the demand is a legitimate one. The resolution does not propose the declaration of Hindi as compulsory. It only asks that students desiring to read Hindi should be able to read it. The Government should be prepared to meet this demand. This demand will increase in course of time and it will be asked that Hindi should be the court language. But that is not the question now. Every book is to be found in Hindi and Urdu both. Those who desire to read in Urdu should be able to do so, and those who want to read in Hindi should also be able to do that.

Under these circumstances, I do not feel that there should be any difficulty in the way of the acceptance of this resolution.

MIAN AHMED YAR : Sir, the meaning, as explained in the House, of the resolution tabled by my friend Mr. Kak far exceeds the scope of the original resolution. In the course of debate it has

been recognised that there is no difference between Hindi and Urdu as spoken languages. The difference is only of script. It is being emphasized that arrangements for the teaching of Hindi should be made in schools. What is the Urdu language? Moulvi Sahib has already presented in detail before the House his ideas about this. The starting of Urdu is the result of a compromise based on an experience running over a long time in India. Aliens of different places and religions came to live in India. All of them had their particular languages and these they used. Those who came from Arabia brought Arabic with them. Mugals had Persian and Turki and Mogoloid Hindus Sanskrit. All had their different languages. After a long experience there was a natural compromise in this system in India. The script adopted was that of Persian and the vocabulary was of Hindi. This means that it was decided that by mixing of Persian and Hindi, only one language Urdu should be in vogue. The pronunciation adopted was also of the Hindi language. Now this Urdu is used and understood in every corner of India. Linguistic facilities which are to be found neither in Hindi nor in Persian, have been made available in Urdu. This compromise was so successful that Urdu became the common language everywhere. It has been said that Dogri was in use in the State at first and it was replaced by Urdu because of outside influences. The reality is different. Why was this done? Time provides the reply to this. All this was done because of the experience gained in course of time. Dogri in the Jammu Province and Persian in the Kashmir Province were in common use as court and official languages. Decisions, summons, orders and circulars were all in Persian and all business of State was transacted in it. Even His Highness' commands used to be worded in Persian.

In the Jammu Province Dogri was the official language. Both provinces were under the same Government, so at last, the Government felt this and there was a compromise here too. In both the provinces, the Urdu script was adopted. The State acted very wisely and availed of the experience gained in India and introduced here also the language which was in vogue in different parts of India, thereby benefiting the people as well as the Government. In the offices as also in every business Urdu is in vogue now, and it is wrong to thing that Urdu is the language of any particular community.

It is absolutely wrong and baseless to assert that Dogri was replaced by Urdu here because of outside influences. The facts are as just stated by me.

It is being said that to educate boys in their religion an acquaintance with Hindi literature is essential. It is not at all being

thought that Urdu is the official language and cannot be overlooked. In every school, particularly in rural schools, education in Urdu is very necessary because Urdu is the court as also the official language and all work is done in it. Therefore a knowledge of it is as important to a man as his very life. It is because of education that a man can spend his life well and progress and also by understanding the Governmental work, which is carried on in Urdu, live a peaceful and contented life.

As for statistics, I would like to say that there are forty-four thousand Muslim and twenty-seven thousand Hindu students. I would say that students of rural schools have not been included in this. In these schools are to be found generally students who have nothing to do with Hindi. It has been argued that it is important to bear the rights of minorities in mind. If this is not done now, the reason is that Urdu is the product of a compromise between the majority and the minorities and it is after the bringing about of this difficult compromise after a long time that Urdu was recognized as a national language. This has made linguistic facilities available to all communities and it does not at all affect the religion of the minorities.

Quotations have been made from the Geneva treaty. There certainly had been made a demand there for the protection of the language of the minorities. But the object of that treaty was that there should be no disability or disqualification in the language of the minorities being also in vogue. This certainly does not mean that a particular language should receive preference or be introduced by special encouragement or again be aided from some fund or receive help in some other practical way. It was decided there that every nation could stick to its own language. Here also followers of different religions can protect their respective languages and teach them in their temples or mosques. There is no restriction in the reading of Hindi nor any compulsion with respect to Urdu. This satisfies the above proposed safeguards of the Geneva treaty. It is most improper to impose any restrictions on the languages of minorities. I will submit in this connection that the Dogra Government acted most wisely and prudently when it introduced Urdu in the Jammu Province for Dogri and in the Kashmir Province for Persian. Therefore if this compromise is overlooked now and the *status quo* disturbed by the introduction of Hindi a lot of trouble will have to be faced. Therefore I submit that from a nationalists standpoint this resolution should not be passed and I therefore oppose it strongly.

LALA SHIV NATH NANDA : Sir, I had submitted an amendment to this resolution which has not been presented before the

House. Therefore I would like to say a few things briefly. I am in agreement with the resolution tabled by my respected friend Mr. Kak. Many friends have expressed different ideas about Urdu and Hindi and have discussed the matter at length. The other day my friend Mr. Ahmed Yar while opposing a Bill moved by the Hon'ble Revenue Minister stated that cows and oxen are sacred animals and it is the duty of every community to protect them. I therefore hoped that my freind would support the Hindi resolution today. I should have been very glad if he had felt that the teaching of Hindi to Hindu boys and girls is most important, because by doing so they can read their sacred books : Ramayana and the Gita and protect their religion. Truth to tell Hindi is the language of India. The teaching of Hindi in schools is most important and my friends ought not to have spoken against that. The word Hindi almost means Hindustan. Without Hindi Hindustan would not have got its name. Hindi is a very easy language. It is easily comprehended. I am not against Urdu. But I would say that when writing there is no possibility of Hindi words being misunderstood. I would submit an instance in point, for I remember an incident. A gentleman asked another to get him ten seers of potatoes. The letter was written in Urdu and the other person misread "Allu" for "Ullu". You see the difference between "Allu" (potato) and "Ullu" (owl) in Urdu. If the letter had been written in Hindi this misunderstanding should not have arisen, because it is a perfect language and there is no possibility of a mistake in it.

MIRZA M. A. BEG : How much Urdu have you read?

LALA SHIV NATH NANDA : I have read Urdu also. But if you too had read Hindi, you should have been the first person to say that Hindi is the best of all languages. If you so desire, I will write the words "Allu" in Urdu here. I think you also will read "Ullu" for "Allu" in Urdu. My friends started lengthy discussions over this matter. One of them has stated that Dogri was the language of the State. Had you studied Dogri you would know that it is also derived from Hindi.

A VOICE : Hindi is not an easy language.

LALA SHIV NATH NANDA : Is not English the same? I wonder that some of you gentlemen have secured the degrees of B. A. and LL. B. Is the English script also not written in a slanting style? Is Hindi more slanting? From what you say it seems as if while going to Delhi you think you are proceeding to Kashmir. It is very important for us that Hindu boys and girls

should be taught in Hindi. Some people try to lend a cummunal colouring to the present issue. My friend Sardar Kanhaya Singh has mentioned Gurmukhi also but I believe that all the languages current in India now have been derived from Hindi.

I would submit that there is not a single language in which Hindi words are not to be found. You fall into an unnecessary discussion. You can ask of the Government, if we did not bring this to their notice in the last session through questions. The Government has neither to give nor take anything in this. There can be no difficulty of expenditure, nor again can the Government say that the Budget does not permit this. It is most important that Hindi should necessarily be taught in schools.

I have one thing more to submit. My friend Moulvi Mohammad Abdullah talked of Gurmukhi and mentioned the Glancy "Pothi" and "Pothi" is a word from our language, from Hindi. Moulvi Sahib stated that it was recommended by Sir Bertrand Glancy that Arabic teachers should be posted in schools but the Hon'ble Minister did not do this and ate Arbi up. I was surprized to learn that Arbi (may mean the language or carrots) is an eatable. It was only afterwards that I thought that he could not mean Arbi but Arabic. I would submit that very few Arabic speaking people exist in this place. Probably the Ministers too do not understand it. On the other hand if Hindi is spoken 80 per cent. people can understand it. Why should Hindi not be introduced then? Sanskrit and Arabic are both likewise difficult. There need, therefore, be no dispute. There are many States in which Hindi is the official language and no difficulty is felt about it. For example let us take the Urdu word for Economic. If instead of the Urdu word "Iktisadi", a Hindi word had been used, it should have proved easier and every body have understood it. All our religious books are written in Hindi. My learned friend has remarked that the Vedas and the Gita have been translated into Urdu. I quite agree but the Holy Quran has also been translated into Hindi and English. It can neither be read with pleasure, no well understood like that. Translation is made with commercial gain in view.

I would like to tell my friends that I have also purchased a copy of the Urdu translated Al-quran, but I could not follow it up all right, because the most difficult Urdu and Arabic words were to be found in it. So also it is difficult for us to understand Urdu translation of our religious books because while translating Urdu words, whose corresponding synonymous in Hindi are far easier, are put in. People who purchase books of this kind have got to place them

for decoration purposes in their almirahs afterwards. Because all our religious books are written in Hindi, it should necessarily be taught in all Government schools. I learn that the Government intends opposing this resolution. My daughter attends a school and I want that she should be taught in Hindi, but you say that she can read Hindi at home. How can this be? She has got to attend to domestic work at home. From ten in the morning to four in the evening, she is in school. It is a pity that there should not exist any arrangement for her to read Hindi. How, under these circumstances, can she read at home.

I would be glad if my friends advise the Government to choose a way in which a solution of the problem could be found so that if my son wants to read Hindi, he may be able to do so. Much of the present day sciences have been taken from Sanskrit books. If you go into London Library, you will find many Hindi and Sanskrit books there. Not only in England but in German libraries also are to be found many sacred books written in Sanskrit. Therefore nobody should have any reason to oppose this resolution. Perhaps my friends study newspapers. Only five or six days back suggestions for bringing about Hindu-Muslim unity appeared in the Press. Meetings were held by some big leaders, who arrived at the conclusion that unless we all have only one language, nothing can be achieved. They decided that Hindi is the only language because of which our mutual relations would remain intact. But here our friends are angry because we make a demand for Hindi.

I would submit that the Government will not be inconvenienced if it accepts this resolution. In fact for the Government everything is easy. It is only when we ask for a thing that difficulties arise. Hindi is so easy that I can teach it to the Hon'ble Home Minister in three days.

A VOICE : He already knows Hindi.

LALA SHIV NATH NANDA : In the place from where the Hon'ble Home Minister comes and where only 25 per cent. Muslims are to be found, a demand for the teaching of Urdu is being made. The same question crops up there too and it has produced some famous Hindi poets. It is therefore that the Hon'ble Home Minister also knows Hindi. If it had not been easy, I do not think it would not have been easy for him to learn it. I would therefore submit to the Hon'ble members that they should think carefully and then vote. They should not vote against the resolution simply because they want to oppose it. I therefore strongly support the resolution.

SHEIKH ABDUL HAMID : Sir, I have heard and carefully weighed all that has been said about the resolution of Pandit Amar Nath Kak. Bearing all that in mind, I rise to express my views. I do not want to say and raise a discussion over the fact that when Urdu was introduced in India, fortunately or unfortunately Muslim Monarchs were at the helm of the State. It may be that for this reason Urdu seems unpleasant to some persons, because it was put into vogue in Muslim times. I can assure you that Urdu has very few Arabic and Persian words as compared to the number of Hindi words in it. Urdu is understood and spoken throughout the length and breadth of India. Even in these days so far as the State is concerned, I would submit that generally if any language is easily understood and spoken by the local people as well as outsiders, it is Urdu, not Hindi, Dogri, Kashmiri, Ladakhi, Baltistani or Baluchi.

The work of the State cannot be carried on in any single language except Urdu.

PANDIT JIA LAL KILAM : The resolution before the House is not that Urdu should not be taught in schools or that Hindi should be substituted for Urdu but that Hindi should be taught as alternate vernacular to those Hindu students who want to read it. All the speeches that have so far been made show that Urdu is better language than Hindi. We have made perfectly clear that legitimate place should be given to Urdu also but we request that Hindi should be taught to Hindu students. The argument is that Urdu is one of the best.....

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He says that Urdu is such a good language that it should not be replaced.

PANDIT JIA LAL KILAM : They are not our judges. It is for your Lordship. . . . . .

SHEIKH ABDUL HAMID : Now let us see what defects will crop up if school boys are taught in Hindi. The first thing that we have got to bear in mind is that when education is over, boys have got to face the realities of life. They will then have to deal with many a thing. If they take to trade, except for Sahukar work, all other correspondence has to be done in Urdu.

A VOICE : Certainly not.

SHEIKH ABDUL HAMID : I know this and am sure that traders do not send out their orders in Hindi. You can procure figures

and see it for yourself. In ordinary conversation too, we mostly use Urdu. Moreover in the courts and the Praja Sabha also, all the work is done in Urdu.

PANDIT LOK NATH SHARMA : I rise to a point of order, Sir. It has been laid down in the rules that "a man who can write Urdu in any script".

SHEIKH ABDUL HAMID : That is not the point. I mean to say that the language we use here is Urdu. It is a different thing that certain members can read and write in a particular script.

Next Sir, I want to draw your attention to the fact that in schools boys or girls have not got to study only Urdu or Hindi books. They have got to read Arithmetic, Geography, History and other subjects also.

PANDIT LOK NATH SHARMA : Books on these subjects are to be found in Hindi too.

SHEIKH ABDUL HAMID : I would submit that if the object is to have Hindi and Urdu both, then it will be necessary to make arrangements for the simultaneous teaching of the books in Urdu or Hindi to various boys. Separate schools may also have to be opened for different boys. The Government will, in that case, have to bear a heavy expenditure. A boy who has been reading Hindi upto the fourth class and is not at all acquainted with Urdu, will not be able to overcome his difficulties with respect to that language. Therefore the necessity for the opening of separate schools for the teaching of Hindi and Urdu will be great. But that will mean a great burden on the exchequer and I believe the finances of the State too do not permit at this time the meeting of this demand. As we have been told about twenty lacs are spent every year on education in the State. If different schools for Hindi and Urdu be set up, then it is certain that another additional expenditure of fifteen, eighteen or twenty lacs will have to be born by the State.

I have been surprized to learn that Hindi is the language of the minority and it is essential for the safeguard of its religion that Hindi should be introduced. I could not at all understand how a particular language san safeguard any religion or community. Will those who know it receive any preference in State services or will their percentage be increased or again will there be any very particular improvement in their trade and commerce? Certainly not.

If schools have been set up in the State for the safeguard of religions, then there should be suitable Arabic schools for Muslims

too, so that Islam may also be safeguarded. When you take all this into consideration, you will naturally conclude that these arguments do not have any force. It is not right to say that Hinduism cannot live unless Hindi is taught.

LALA SHIV NATH NANDA : This has never been said. The question does not at all involve the life or otherwise of Hinduism.

SHEIKH ABDUL HAMID : When a person starts advancing arguments, he forgets all.

Every body asserts that because Kashmir is a Hindu State, it is important to protect Hinduism. But His Highness the Maharaja Bahadur, our Ruler, has always held that justice is his religion. His Highness has never talked of himself in communal terms. I, therefore, fail to understand why this quarrel has arisen here.

In his speech Mr. Nanda has talked of an "Allu" and an "Ullu". In this connection, I would say that if that man really knew Urdu, he would have read it correctly. But it seems that the reader was under a misconception, because Urdu knowing people know the difference in writing between "Allu" and "Ullu", potato and owl. Could that man not see that the mistaken word was preceded by the words (ten seers) and therefore it could not refer to a flying creature. The writer is not at all to blame. The reader himself lacked intelligence. There is a very great difference between the meaning of these two words. People who knew the language must know well how these words are written. It has been said that

عقلاں نہ قطہ نروند

i. e. the wise do not run after the meaning of foolstops.

Supposing Mr. Nanda writes down the word "Gur" (which would be "Kund" in Persian) and asks somebody to read it. What will he say? Will he read it as "Gur" or some dirty thing. I mean to say that there are many words, the way of writing which is the same, but which have their particular and different meanings and sounds in particular contexts. Nothing more than this could have been spoken against the Urdu language. In the same way there is a good deal of difference between ع and ی. The first is begun with "ع" and the other with an ا. This shows that Mr. Nanda has not at all read any Urdu and still he comes to teach us languages here.

PANDIT LOK NATH SHARMA : But you too have not read any Hindi.

SHEIKH ABDUL HAMID : No doubt, I too do not know Hindi.

I say that the present discussion here is about the necessity or otherwise of including Hindi in the current curriculum of studies. Because of all these reasons, I oppose this resolution. Not one out of those in the House who stand for the resolution has given us any specimen of the Hindi language. Nor again has any speech been made in Hindi. This proves that Hindi cannot be used for speaking from a platform. If any such thing had been done, we should have understood whether or not Hindi should be introduced. All the members here have spoken in Urdu. Often even Hindu newspapers are written in Urdu. It would be difficult to pull on without the existence of Urdu. It is an indispensable language. Therefore it does not at all seem proper that Hindi should be compulsorily taught in schools. There is no difficulty at present in the way of those who want to read Hindi. They can read Hindi like Arabic or Persian, as an optional subject. But if they want to study Hindi from the very beginning, they can do so there, even as it is done in the school of Jiwan Mukat in Jammu. Moreover as Mian Sahib has pointed out, there is no prohibition for the study of such languages in Pathshalas, temples, Gurdwaras and mosques. The facility for such study is already available there and religious instruction is imparted in such places.

Therefore, I would respectfully submit that this resolution is not worth being accepted.

PANDIT AMAR NATH KAK : Sir, I have heard the speeches that have so far been delivered in the House and I feel that I should also rise to clear the misunderstanding that have arisen about this resolution.

All these speeches indicate that the question here now is Hindi *versus* Urdu. But the subject of the debate here is not whether Urdu or Hindi should be taught. That, I repeat, is not the thing.

I, therefore, want to clear the misunderstanding that, I feel, has arisen in this House. Muslims want Arabic and Sikhs ask for Gurmukhi. People think that it is being asked that Hindi should receive preference over Urdu and that it is being made a compulsory subject.

This is wrong. That is not the object of our resolution. The object is a simple one—that Hindi, as per this resolution, should

be taught as an alternate vernacular to Hindu students in schools. I want only that. The Government should bear in mind that there are twenty-seven thousand Hindu students and it is necessary for it to maintain arrangements for the teaching of Hindi side by side with Urdu.

I would therefore submit that the speeches delivered here to-day, in which comparative merits and demerits were mentioned and discussed, were quite out of place.

Another strange thing has appeared here. The question was only that Hindus asked for some arrangement for their boys and girls. To those who hold that it is a communal question, I would say that there is no communal tinge in this. The only object is that Hindu boys and girls may be benefited by education through Hindi. But here we find communalist who talk ill of Hindus and because of their communal mentality consider themselves above all others, standing to become our judges. Muslims get up to preach to Hindus to do like this and that for it would be useful. They assume the role of guardians and tell us what we should do. They even go to the length of telling us that the translation of every book exists in Urdu and this they say so that we may sacrifice our religion. They say that the Vedas have also been translated into Urdu and that this translation will be made available to us and we can read that carefully. Why need you read it in Sanskrit.

We do not ask for the preference of our language over theirs. We do not ask that our language should be made compulsory for them. We do not ask that Hindi should be taught forcibly to all. We do not say that Hindi should be made the official language.

Muslims come forth as our guardians. Our friends have complained that no specimen of Hindi has been presented before the House.

I would like to present before the House specimens not only of Hindi, but Sanskrit too.

Why and wherefor is the name Praja Sabha being applied? Why are we called Praja Sabha Sads? We are being asked to make a compromise while the other side gets out of temper on the slightest pretext.

In the last session it was asked why the Assembly had been named the Praja Sabha, because the words Praja Sabha are Hindi and have been derived from Sanskrit. It was demanded that this

name should be changed. Movements are started against the Assembly being called the Praja Sabha. (Cheers)

If there is no difference between Urdu and Hindi, why has it been asked that as the words Praja Sabha are Hindi, they should be removed? (Cheers)

It has been said that at first Hindus did very well in Persian and English. They produced their own poets and writers. Why then has the necessity for the teaching of Hindi been felt now.

I want to say and would submit that centuries of trouble and torture have spoiled our mentality. Our real mentality has almost been destroyed and liberty has been snatched from us. A slave mentality has been created in us. But time have since changed. There is a deal of difference between those and the present times. We have British Raj now. There is no religious restriction. Everyone is at liberty to maintain his language, religion and conventions, in order to live a contented life. Can it be said in this Raj that Hindi be sacrificed to Urdu?

The people who call themselves nationalists and say that they are custodians of nationalism oppose us in a matter which concerns our religion. Nationalists should be broad-minded and should accept this resolution. It is connected with our religious culture. These gentlemen ought to give proofs of their broad-mindedness in such essentials, but they do this instead in non-essential matters. If something essential which may be to our benefit crops up, they oppose us very strongly. God alone knows what brod-mindedness was given expression to when the question of preventing cattle (cow or bullocks) from being put into custody came before the House.

It is often being said "Hindus are our brothers. They are our neighbours. It is important for us to respect their sentiments". In short an extreme broad-mindedness is shown in non-essentials. But, on the other hand that broad-mindedness vanishes when Hindus consider the teaching of Hindi essential for the preservation of their religion and they think of the means of preserving thereby their culture, religion and tradition. Now I would like to throw light on what has further been said. Why did Hindus not pay attention to the study of Hindi at first. The schools and colleges from which you have got your B. A. and your LL.B. degrees were set up by Hindus. That College was a Hindu College in the beginning—I mean the Sri Partap College. It is being said about us that we are a monied people. Money we have not got, education we have. We

all desire to live decently. We have not got any capital, nor again any funds. If the Government does not help us, who will?

All kinds of arguments and pretexts are being advanced against this resolution. It is being said that the Government has no funds, that if this resolution is accepted, separate schools will have to be opened and that the Government cannot give any aid. Various difficulties are being created. It is being said that Arabic will also have to be introduced. We have no objection to that and we have never opposed the study of Arabic. The Muslim members ought at least to remain neutral in an educational problem which concerns the religious instruction of Hindus and the preservation of their culture. If they too put forth such an educational problem, we also would remain neutral. But instead of supporting us or even remaining neutral, they do things which are quite unbearable. In fact it is this state of affairs which compelled us to help the Government in the passing of Section 108-A of the Criminal Law Amendment.

We remain in danger of things like this from Muslims. We have supported the Government for the safety of our lives and property. We kept silent that day, but the attitude of our Muslim brothers, I am sorry to say, has compelled me today to explain. At the time of the Criminal Law Amendment Bill, we Hindus kept silent, thereby justifying the Government's action. The only reason was that we knew that if troubled times come, we will need the help of the Government for our own safety.

We can say why the Government felt the necessity of a Criminal Law Amendment and what reasons gave rise to that necessity.

On the one hand, we are told that we do not co-operate, on the other mountains are made of mole hills and it is said that there are no funds, that new schools will have to be opened and that that will mean much expenditure.

The Punjab Education Department has classed Arabic, Sanskrit and Persian as classical languages in its curriculum and Educational Code. Arabic has not been classed as a vernacular and Hindi has not been put on the list of classical languages. How then can Arabic be classed with Hindi? In the Primary Schools Arabic, as a subject, is not an alternate vernacular. It is being said that the teaching of Hindi will cost a great deal. But may we ask if a lot of money is not spent on the teaching of Arabic?

The Matriculation Examination papers issued by the University are printed in all recognized languages—Hindi and Bengali

etc. and every student reads in his own vernacular. In the University, Hindus, Muslims and Sikhs read the same subjects in their respective vernaculars, *i. e.* Hindus in Hindi and Muslims in Urdu.

This will not mean any additional expenditure, nor does this need the opening of any separate schools. All that is wanted is some sort of an arrangement. Having removed all the doubts, I want to submit that the discussion that was raised here was quite out of place. I am confident that the Hon'ble Education Minister will accept this resolution and make arrangements immediately for the teaching of Hindi to such Hindu boys as want to read it.

THE HON'BLE MR. WAJAHAT HUSSAIN : Sir, I have listened to all the speeches that have been delivered in the House today and feeling, not only of shame, but of humiliation has overcome me. We have had a long discussion here and it has been declared that Urdu and Hindi are two separate languages. But I do not find any difference between the two.

It is a pity that a contagion is abroad in India now and I am sorry that we do not want to repeat here all that is done in British India *i. e.* the Education Department has issued circulars for the stoppage of Hindi. I do not want to raise that question here.

It is wrong and baseless to say that we want to stop the study of Hindi here. A rumour has been made current that I have issued orders to stop all education in Hindi. If Mr. Kak had come to me, I could have (dispelled his doubts) convinced him.

In the presence of you all, each side, in order to contradict what was said by the other, looked like hungry dogs.

PANDIT JIA LAL KILAM : Unparliamentary language. That is very bad. Education Minister must know that he is addressing gentlemen. He should not address us as hungry dogs.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Well he will withdraw his remarks.

THE HON'BLE MR. WAJAHAT HUSSAIN : Sir, I am sorry. I am in a responsible position. A word has slipped out of my tongue. I am sorry and I hope such a thing will not repeat itself.

The point is that if Pandit Amar Nath Kak had had a talk with me and had presented the complaints to me, it would have been better.

How is the Education Department being run? Here are the facts and I would ask you all to listen to them. In all the girls schools, if the girls so desire, Hindi is adopted as the medium of instruction. I will give you the figures too. There are fifty-eight primary schools for girls in Kashmir and out of this number Hindi is taught in twenty-one. In the Jammu Province there are sixty-nine girls schools. In forty-five of these Hindi is the medium of instruction, *i. e.* Urdu and Gurmukhi is the medium in twenty-four schools only. There are hundred and twenty-seven schools for girls in both the provinces. Hindi is the medium of instruction in sixty-six schools out of this number. In the remaining schools, Urdu or Gurmukhi is the medium of instruction. In Kashmir there are nine girls (Middle) schools and Hindi is taught in seven of them. In Jammu arrangements for the teaching of Hindi exist in all the nine (Middle) schools. Next there are only two Girls High Schools in the State and equal teaching arrangements for both Urdu and Hindi are to be found in them. It is therefore that I could not understand the resolution and I asked Mr. Kak what he meant by alternate vernacular. Now he has explained that for girls the medium of instruction should be their own language and all facilities should be extended to them for the continuance of their education in Hindi. I have already stated that out of the hundred and twenty-seven girls schools in the State, Hindi is already the medium of instruction at this time in sixty-six of them, which is more than half. What is the necessity then for this resolution? In the primary schools adequate arrangements for the teaching of Urdu and Hindi both already exist, though not for Gurmukhi. Even in Middle schools there is sufficient arrangement for the teaching of Hindi, *i. e.* equal arrangements for the teaching both of Hindi and Urdu exist. In the High Schools also there are equal arrangements for the teaching of these two (languages). In the Colleges also there are lecturers for Hindi though there are no separate lecturers for Urdu there, because the whole staff knows Urdu very well. Only last year when I realized the necessity, I appointed a lecturer in Hindi in S. P. College.

Now comes the question of boys education.

There are thirty-one Middle Schools in Kashmir and complete arrangements for the teaching of Hindi are to be found in twenty of them.

I am in a responsible position and I am not saying anything which is not a fact.

In Jammu there are thirty-six Middle Schools and again complete arrangements for the teaching of Hindi exist in thirty of them.

There are adequate arrangements in the High Schools too. Now come the Primary Schools. The script in these schools is Arabic and not Devnagri. Mr. Kak has stated that in reply to his questions, I have said that arrangements will be made when the demand (for the teaching of Hindi) is made. That is right, but by the word demand, I did not mean a resolution, nor do I want that deputations should wait on me. I meant that when the Director of Education, the Inspectors or the Assistant Inspectors during the course of their tours saw that the number of Hindi reading students in a place is large, they would make the necessary recommendations and a Hindi teacher would be appointed. It has likewise been ordered that Gurmukhi teachers should be provided for schools, in which there is a large number of Gurmukhi reading students. If I am asked why every school was not given a Hindi teacher my reply will be the same as I give with respect to compulsory education : that we have not got sufficient funds and therefore I cannot make a promise. I know my responsibilities, if I promise, tomorrow, you can say that a promise had been made and you can ask question with respect to it and enquire whether the promise has been put into a practical shape? What reply can I give you then? We cannot make Hindi the medium of instruction in primary schools, because Government has laid down that Urdu is the court language. If we have this script in primary schools, we shall be disobeying the Government orders.

No doubt if a resolution for the change of court language had been brought forward, we could have changed the script. If the Government agrees, I also agree. As a servant of the State, I cannot disobey the present orders of the Government and I am sorry to have to state that. It is a fact that the atmosphere of the Praja Sabha is not the same now, as it used to be everyday prior to this resolution.

I can assure you that I have already been making efforts. Hindi is the medium of instruction for girls even at present. Urdu and Gurmukhi also are. In fact we are trying to make Budhi the medium of instruction in Ladakh now, but we have not as yet, been able to procure any books in Budhi. As soon as the necessary books are available, we will at once make arrangements for teaching the Budhi there.

In the Middle Schools here, complete arrangements for the teaching of Hindi already exist *i. e.* Hindi is geing taught in two-thirds of the total number of schools. In the High Schools and Colleges also there are satisfactory arrangements for the teaching of Hindi. But if the object is

to make Hindi the medium of instruction, we shall not be able to fulfil it. But, if the wording of the resolution means that if a boy wants to read Hindi, he should be given a Hindi teacher. We are prepared to agree. But we are not prepared to make Hindi the compulsory medium of instruction.

Members who said that Mr. Kak means that Urdu should be totally given up, were really unjust to him. That is not at all his object.

In the end I would repeat that if Mr. Kak wants that Hindi should be the medium of instruction then, I am sorry, we shall not be able to accept his resolution. But if he wants that more Hindi teachers should be provided, we are certainly here to do that. We will increase their number. With these words, I would request Mr. Kak to withdraw his resolution.

PANDIT JIA LAL KILAM : We want to go out. With all respect we feel that in this House our interests are not safe. We have no other power to express our minority.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You are proposing an amendment. Mr. Kak has presented the original proposal.

PANDIT JIA LAL KILAM : Mr. Kak is speaking the same thing which I am speaking.

PANDIT AMAR NATH KAK : My submission is that as this is a matter that ought to be put to the vote of Hindus only, and there is no such arrangement in this House that votes should be taken from Hindus only and as the Hon'ble Home Minister has stated that the attitude taken by the Government will be against the resolution and not sympathetic.....

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What they say is that money is not available. We will put in as many Hindi teachers as possible when we can spare money.

PANDIT AMAR NATH KAK : The resolution should be accepted in the form in which it has been put. If further it is stated that arrangement will be made according to the conditions of the budget, I shall accept it.

THE HON'BLE MR. WAJAHAT HUSSAIN : The Government is quite prepared to accept the resolution as it is worded.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The English version means wherever possible Hindi should be taught.

PANDIT JIA LAL KILAM : As alternate vernacular.

PANDIT AMAR NATH KAK : In place of Urdu.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It is a very large question which you put forward like a pistol. The Government has now accepted your views and sentiments of the Hindus. It must be given time to consider what steps should be taken.

PANDIT AMAR NATH KAK : It is not a pistol. It is put in the mildest form.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I say they must be given time to consider what steps should be taken. It is not a matter which can be decided in a moment. There are various considerations which may arise. How can the same man teach both the subjects. The Government has understood your views and sentiments.

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVIN : Not only understood them but have sympathy with the sentiments.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (Addressing Mr. Kak) : They cannot positively at once say what they would do in the immediate future.

PANDIT AMAR NATH KAK : It is not necessary that it should be done just now. But it should be done when the time to consider it comes about, today, in a week, after a month, or say a year hence.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have said that arrangements be made for teaching Hindi as alternate vernacular. If the Government accepts this resolution, it is bound to make the arrangements.

Taking it under consideration is another thing. But making of arrangement requires some time.

PANDIT AMAR NATH KAK : I am prepared to amend the resolution in this way :—

> "Arrangements may be made for teaching Hindi as early as possible."

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : But funds must permit.

A VOICE. Funds permit.

PANDIT LOK NATH SHARMA : For education they always permit.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : In this way the opening of Primary Schools every year will be retarded. There are various questions arising.

PANDIT AMAR NATH KAK : We do not want more primary schools.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The Government has undertaken to open more and more primary schools.

PANDIT AMAR NATH KAK : Both the things may be taken hand in hand, *i. e.* if one rupee is to be spent, fourteen annas may be spent for opening of new primary schools and two annas for this.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (Addressing Mr. Kak) : If it is acceptable after "as early as possible" add "as opportunities arise". But funds is a large question.

PANDIT AMAR NATH KAK : It may be added Sir, "as early as possible, as opportunities arise."

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I suggest to the Government that the resolution may be accepted as "as early as possible as opportunities arise."

The Leader of the House says that he is prepared to accept the resolution in this form :—

> "This Praja Sabha recommends to the Council that arrangements be made in Boys and Girls Schools for the teaching of Hindi as an alternate vernacular as early as possible and as opportunities arise."

(Prolonged cheers from Hindu Benches)

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Next resolution No. 2.

MIRZA M. A. BEG : As Resolutions Nos. 2 and 3 are alike, I beg leave to withdraw my resolution No. 2.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Those in favour of withdrawal will please raise hands.

NOTE.—Hands were raised.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Resolution No. 2 is withdrawn with the permission of the House.

The next resolution is of Mr. Kilam.

NOTE.—The Assistant Secretary read the following resolution:—

"This Praja Sabha recommends to the Council that a Commission consisting of official and non-official members be constituted to enquire and to report as to how and what improvements can be effected in the methods of agriculture in vogue in the State with special reference to irrigation."

PANDIT JIA LAL KILAM : Sir, I will not take much time in moving this resolution in the House, because it is such that the Government should of its own accord acknowledge its importance. I want to submit only two things. The first is that agriculture is the chief industry in the State. As stated by the Government, agriculture is the means of livelihood of 87 or 88 per cent. of our people. But it is a pity that agriculture lies in a neglected state here, so neglected a state that it is unequalled. So far as Kashmir is concerned statistics prove that our agricultural produce is not sufficient even for our own needs. Because this is proved from the statistics furnished by the State. I will not take much time over it. The other thing that I want to say is that many areas of land are lying uncultivated in the State. No efforts are being made to bring these under cultivation.

The Agricultural Department is starving for want of funds. Only a Model Farm or two has been set up near the Nishat and the Shalimar gardens. If the Government wants to benefit its subjects and if it desires their welfare, it is most important to start model farms in every corner of the State, so that the means of betterment of the agriculturists may be brought into being and the agriculturists may keep on their progress. About irrigation I have only got to say that not once but a thousand times it has been stated in this House that in many parts of the State even drinking water is not available. In Kashmir too not withstanding the availability of so much water, many areas are lying dry. That speaks for the fine administration we have. The Ministers who come from outside do

not get an opportunity of remaining here for long. Therefore they cannot give thought to this problem.

Today Mr. Kabu, in a question, asked the Hon'ble Home Minister if he had seen a certain bridge himself. He got a reply in the negative. No doubt the Hon'ble Home Minister has many other important things to do. I would submit that if all our Ministers studied the books of Kashmir tourists, they would know how fertile the different Illaqas of this place were ; where they were irrigated ; and in which places canals had been constructed, only the remains of which are to be found now. All looks dry where these had flowed.

Old signs of fertility are still visible on the Pampore Karewa. So also in the Sopat Illaqa. Because the Ministers do not have any knowledge of these books therefore their attention never gets drawn to this work. Under these circumstances it is most important to set up a Commission. Every Minister should know these things and it is the duty of every citizen to keep the Ministers informed of all such things. Because the Ministers cannot get any time at home to hear these things from different members, it is important that a commission be set up to make an inquiry into all these things and know the possible places where water can be made available, though it is not to be found there yet. In places which can be cultivated and where other necessary factors exist, arrangements for cultivation should be made at once so that the poverty of the people may be removed. It is always said that sympathetic consideration will be given. We cannot be assured by these words. We should be assured of practical sympathy.

With these words I move this resolution in the House and submit that it be passed.

MIRZA M. A. BEG (Anantnag :Muslim) : Sir, the learned mover has explained this resolution at length. I want to submit that in the prosperity of agriculture lies the prosperity of the country. Therefore in order to promote the welfare of the country it is important that the agricultural industry should also be promoted. For this the constitution of a commission is important.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : How many commissions do you want to have going at the same time out of 75 members?

MIRZA M. A. BEG : I would submit that in India commissions have off and on been set up for the improvement of agriculture and

this industry has progressed a good deal.

Agriculture is the profession of a great part of the population here. The country can prosper only by the betterment of industries and agriculture. Unless improved methods of agriculture are adopted, industry cannot prosper. Means of irrigation in India are far better than in Kashmir. Once it was thought that the agriculturists of India would never prosper. But in the nineteenth century the Government of India paid attention to irrigation. In 1901 Lord Curzon's Government appointed an Irrigation Commission. In 1922, nineteen important irrigational works were completed, and these cost fifty crores. The result of this extensive system of irrigation was that an area of one crore and twelve and a half lacs of acres was irrigated. The Government in particular did much to extend the irrigational facilities in the Punjab. Eighteen crores were spent on the Sukhar Barrage and the vast area of fifty lacs of acres was irrigated and for the vast and poor population, means to prosperity were created.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Was there no profit?

MIRZA M. A. BEG : Certainly, there must have been some profit too. Irrigation colonies have been made in the Punjab, in Lyalpur, Shahpur and Montgomery. In these places, in 1925, the Government got a profit of two crores and six lacs of rupees and crops worth twenty-eight and a half crores were grown. As compared with these, Kashmir is in a deplorable condition. We are always told that financial difficulties prevent the making of any provisions for irrigational work.

If the Government paid attention to irrigation, a large tract of Kashmir's uncultivated land could be brought under cultivation, and the people would prosper. The Government and the country both would be prosperous. Unfortunately attention is not paid to the old works. I cannot refrain from giving an instance from the Anantnag Tehsil in particular, because means of irrigation there are unsatisfactory. Every sympathetic man is touched at the condition of the poor zamindars, because of the lack of means of irrigation. Trout fish is abundant in Brangi Kokar Nag, Panjath (Kulgam) Haud Nala and other Nullahs. In these areas irrigation is also done by the aid of these very Nullahs. But it is a pity, nay a great pity, that in our country the lives of fishes receive preference over the lives of men. Enough water supply is arranged so that fishes may live but difficulties are raised in the supply of water to a man. Water may or may not be available for irrigation but there

should be enough of it for fishes. Cases are instituted against people. In my opinion the Government should decide whether fishes are to be bred here or whether the welfare of the people is to be kept in view. The large area of Marang (Anantnag) could be irrigated, if water did not run under ground at Nandabal. It is necessary to prevent this and bring into the Brangi Nullah the waters of Mawarnag and Choharnag.

If the Dadi Kuhl (Anantnag) the Khanchi Kuhl (Pulawama) and the Sopat canal (Kulgam) are constructed, a large part of the Kashmir valley would be irrigated. But it is a pity that no attention is paid to these. The Government should be prepared to appoint a semi-official commission which after due considerations after touring through the country will present a detailed report to the Government. It is very necessary to have some non-official element in this commission, because officials always want that their recommendations should be to the liking of the Government. They always bear the Government view-point in mind. Their recommendations cannot be neutral. Therefore unless a combined commission of officials and non-officials is appointed, it is difficult to come to a right conclusion. Therefore it is important to have non-official members also in this commission.

PANDIT RAM CHANDRA DOBEY : Sir, the Hon'ble members have discussed all the conditions that obtain in Kashmir, but in Jammu these conditions are more heart-moving. In a place where hundreds of bunds get washed and the land gets under water an extension of irrigational facilities will lead to the prosperity of the land and its people. The land-revenue will not only be paid in time but may even increase. I will make particular mention of the Samba and Ranbirsinghpura Tehsils. The conditions in Ranbirsinghpura are better now but those in Samba are as bad as ever. It had been stated that wells would be dug. But we do not know when this may be. I think that if irrigational facilities are increased, neither will the zamindars be put to trouble nor can there be any difficulties in the realization of land-revenue. It was thought that some advantage would be derived from the big canals that flow in our Illaqa. But no use has been made of them. We believed that our new canal would end our difficulties but nothing has come of it. Smaller Nullahs can likewise be brought into use for irrigational purposes. About Basantar and Tawi I would submit that their water be made use of for drinking and irrigational purposes, *i. e.*, the difficulties about drinking water and irrigation of adjoining Illaqas can be removed. There should similarly be some arrangement for drinking water in the Samba Tehsil. The Nullahs in Mirpur should be brought into use for irrigational purposes. Irrigational

needs of the hilly tracts should be met by the construction of bunds. The appointment of a commission is a necessity and the Government should issue such orders on the recommendations of this commission, as will benefit the people as well as the State.

SARDAR KANHAYA SINGH : Sir, we, in this House, cry for irrigational facilities. Once I submitted to the Hon'ble Home Minister that the remains of a canal which once flowed are still to be found in a place in Baramulla and that if it is brought into use, once again, a great need of the Illaqa will be met. He replied that he would visit the spot. Once again I requested him to kindly come to see the place, as it would incidentally mean an outing to Gulmarg too. He again replied that he would try. After that because of lack of leisure he could not go there. But he said that an engineer had been sent on spot and he had made an estimate for the work which would cost seven lacs. I think that that engineer did not go there personally. The estimate of seven lacs may have been prepared after a few random enquiries. I was told by the Hon'ble Home Minister that the money could not be spent. In Uttarmachhipura also the remains of many such canals are to be found and these with a small expenditure could be renewed for use. The necessity for a semi-official commission is great. This can make suggestions and by putting these into practice success will, to a large extent, be achieved. The financial position of the people will improve. They will become prosperous. There will be an increase in the State income. An extension of irrigational facilities will also bring about an increase in the *Abiana*, which will benefit the Government. Therefore I support this resolution and submit that a commission be appointed.

NOTE.—The Praja Sabha then adjourned till the next day, Tuesday the 7th April 1936.

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JAMMU AND KASHMIR PRAJA SABHA.

Tuesday the $\frac{\textit{7th April, 1936.}}{\textit{26th Chet, 1992.}}$

The Praja Sabha met in the Praja Sabha Chambers at Durbar Garh (Pink Hall) at Eleven of the Clock. Mr. President (The Hon'ble Sir Barjor Dalal Kt.) in the Chair.

QUESTIONS AND ANSWERS.

694. PANDIT LIA LAL KILAM (Srinagar City South :Hindu) : (*a*) Does the Government know that the local industries in the State are yet in infancy?

(*b*) If the answer to (*a*) be in the affirmative, does the Government know that in view of the keen competition in the business world the local industries require protection from the Government?

(*c*) If the answer to (*b*) be in the affirmative, will the Government be pleased to inaugurate a policy of levying protective tariff upon all those articles that are manufactured here and at the same time imported from outside?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No. The general position is not so.

(*b*) and (*c*) Government has been extending discriminate protection in all deserving cases. Differentiated tariff has been raised in the case of silk yarn and silk goods, brass sheets and brass wares, cotton yarn and cotton piece-goods. Member Praja Sabha is referred to declaration of Government Policy *vide* Government order No. 240 of 1935 published in Government Gazette dated 16th May 1935 and State Aid to Industries Regulation of 1992 Government will consider sympathetically all cases which need protection.

695. MAJOR MIRZA ATTA MOHAMMAD (Reasi :Muslim) : (*a*) Does the Hon'ble Home Minister know that there is no dispensary at the places, Thana Mandi, Treru and Dharamsal of Tehsil Rajouri, which are at a distance of 14 to 25 miles from Rajouri?

(*b*) Does the Hon'ble Home Minister perceive the inconvenience experienced by the patients of these remote and densely populated places in obtaining medical aid?

(*c*) Will the Hon'ble Home Minister, in view of the above mentioned inconvenience, please open dispensaries at Thana Mandi, Dharamsal and Treru? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) Yes.

(*b*) Yes.

(*c*) No new dispensaries are being opened at present.

696. MAJOR MIRZA ATTA MOHAMMAD : (*a*) Are Government aware that the old road from Bhimber to Shopyan *via* Rajouri is a very frequented road?

(*b*) Are Government aware that the trade of Bhimber, Poonch, Kotli and Rajouri with Shopyan (Kashmir) is carried on by means of this road?

(*c*) Are Government aware that the cattle of Rajouri go by this road to the surrounding Shopyan for grazing purposes?

(*d*) Will Government please state whether they will make proper arrangement for the repair of this road from Thanna to Shopyan? If not, why?

(*a*), (*b*) and (c) Yes.

(*d*) Arrangement for repairs to this road will be made next year and funds will be arranged by provision in the next year's budget.

697. MAJOR MIRZA ATTA MOHAMMAD : (*a*) Are Government aware that in Rajouri Town Area the price of Chil tree has been raised from eight annas per foot to four rupees per foot?

(*b*) Have Government established any timber market in this town?

(*c*) Are Government aware that now it has become a matter of great difficulty for the inhabitants of this poor town to construct a house? Will Government issue orders for reducing this improper rate of price?

(*d*) If the answer to this be in the negative, what are the reasons therefor?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No.

(*b*) Not necessary.

(*c*) and (*d*) This question does not arise in face of answers to (*a*) and (*b*).

MAJOR MIRZA ATTA MOHAMMAD : What is meant by "necessary"?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It is not necessary to establish a timber market. As for the rates, it has been stated that facts are not as you profess them to be. The price of Chil is the same as it was before. It has not been altered.

698. MAJOR MIRZA ATTA MOHAMMAD : (*a*) Does the Hon'ble Revenue Minister know that the price of stones of Tawi (Rajouri) has been raised from two pice per cent. to three annas per cent. and that this has been transferred from the Revenue Department to the Forest Department?

(*b*) Is not this extraordinary high percentage injurious to the public?

(*c*) Will the Hon'ble Revenue Minister, by fixing the same old rates for this and by keeping it under the Revenue Department, provide encouragement to the public?

(*d*) If the answer to the above be in the affirmative, when will it be done? If it be in the negative, what are the reasons therefor?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) This statement is not correct.

The royalty of Rs. 1-9-0 per hundred square feet was realized before. Now it is reduced to Re. 1 per hundred square feet. The rate of royalty for those stones which are taken from the demarcated forests has been reduced to nine annas per hundred square feet if they are chiselled and six annas if unchiselled. No change has taken place in the management for the recovery of royalty on stones.

(*b*), (*c*) and (*d*) Do not arise.

699. LALA SHIV NATH NANDA (Srinagar City :Hindu other than Kashmiri Pandits) : Is it a fact that pension case of Lala Bheramal Girdawar was decided 8 years after his retirement?

If the answer be in the affirmative, will the Hon'ble Finance Minister make such arrangement that pension cases may be decided within three months from the date of the retirement?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : Yes. The name is Pheramal and not Bheramal. Hon'ble Ministers have already been supplied with lists of outstanding pension cases and efforts are being made to complete them to ensure issue of pension payment orders as quickly as possible. The grant of anticipatory pensions pending final settlement of cases has mitigated this hardship to a large extent.

700. LALA SHIV NATH NANDA : Are Government aware that the "Platforms" of the water tank at Srinagar are in a very wretched condition and that no attention has been paid to the public complaint in spite of the officers concerned being requested for repairing and constructing the same?

If the answer be in the affirmative, will the Hon'ble Minister-in-charge issue necessary orders for their repair?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : There is no water tank in Srinagar. If platform of water taps are meant they are repaired according to the availability of funds every year.

LALA SHIV NATH NANDA: How does the word 'تالاب' occur here?

THE HON'BLE RAO BAHADUR THAKUR JANAK SINGH JI : It is 'tank' in English.

THE HON'BLE MR. WAJAHAT HUSSAIN : Let it be 'tank'.

LALA SHIV NATH NANDA : I have written "platforms of water taps".

THE HON'BLE MR. WAJAHAT HUSSAIN : That too has been replied.

NOTE.—The Hon'ble Home Minister repeated the reply.

701. LALA SHIV NATH NANDA : Are Government aware that goods of lacs of rupees are supplied from Gujar Khan Market to Illaqas of Kotli, Rajouri and Poonch proper, for receiving the payment of the customs duty of which customs post has been established at Gatalian though for the conveyance of the goods by this way, the traders besides other difficulties incidental to way, have to incur the expenses of a rupee per maund beyond the usual fare and that this heavy burden falls on the subjects? Is it a fact that for Poonch the way by Balgam post is comparatively cheaper and about fifty miles less in distance than this way?

If the answer be in the affirmative, will Government please taking pity on the condition of the subjects, make arrangements for the traders at Balgam post instead of Gatalian so that the goods may be conveyed by this way?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : Government are aware that a certain amount of goods are brought for consumption in Kotli from Gujar Khan. There is no post by the name of Balgam but there is one at Behgam which is about a mile or so from Hill which is the head-quarters of the Deputy Inspector of the Hill Division and where there is a customs post. There is nothing to prevent anybody from importing goods to Kotli through Behgam or Hill, which are equidistant from Gujar Khan and in fact Hill is the more convenient place for this traffic. Rajouri is not at all on this side and its nearest British Indian market is Gujrat *via* Bhimber where there is a motor road connecting Bhimber with Gujrat. As regards imports to Poonch, the proposal of the Wazir of Poonch is to the effect that Poonch goods should be passed at Dhalmahmud instead of at Gatalian. This proposal is under consideration of Government.

702. LALA SHIV NATH NANDA : Are Government aware that the bridge at Lachhman Pattan is an old rope bridge and on account of its being usually in a broken condition the wayfarers have sometimes to face great inconvenience? If the answer be in the affirmative, will the Hon'ble Revenue Minister please take steps to make it strong?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) :The question of constructing a strong bridge on a new site at Lachhman Pattan has already received serious consideration of the administration. Out of the estimated cost of Rs. 23,000 for constructing the said bridge, a sum of Rs. 10,000 is provided in the current year's budget as first instalment for the purpose. The Executive Engineer has already taken up work in hand.

703. LALA SHIV NATH NANDA : Are Government aware that the "Sudershan" newspaper of the 7th Magh 1992 has disclosed the inconvenience caused to the public by the cows and bulls straying about within the Municipal limits of Jammu and that the respected and the honourable persons of Jammu city have also submitted an application to the Municipality in this behalf?

If the answer be in the affirmative, will the Hon'ble Finance Minister please state as to what action has been taken regarding this matter and what measures have been proposed to remove this grievance of the public?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Yes.

(*b*) The Municipal Committee has appointed two cattle catchers who catch and impound cattle. The Committee has also inquired from the Dharmarth Department if that Department can arrange provision for stray bulls in Rakh Miran Sahib.

704. WAZIR GANGA RAM (Reasi :Hindu) : Are Government aware that there is (*a*) no Government nursery in Wazarat Reasi due to the absence of which the zamindars undergo great troubles and expenses for obtaining plants?

(*b*) If the answer be in the negative, are Government prepared to establish a nursery in Wazarat Reasi? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) The proposal for starting a combined agriculture and fruit nursery at Reasi is receiving Government's attention and as soon as it is sanctioned, Agricultural and Horticultural requirements of the District will be attended to without any loss of time.

705. HAJI AHMEDULLAH SHAHDAD (Tashawan-Srinagar City :Muslim) : (*a*) Will Government please state how many contracts have been sanctioned in the Forest Department during the last three years without calling tenders?

(*b*) If in fact there have been such cases, how many of such contracts have been given to non-State-subject contractors?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) So far as Kashmir Circle is concerned, no contract appears to have been

given without calling tenders except that to :—

1. Pandit Prem Dutt, which irregularity has already been condoned by the Government.

2. Sale of trees from Pir Panjal Division in favour of Lala Hari Kishan, contractor for apple box factory was also sanctioned by Government.

3. Two such contracts are reported to have been sanctioned by *ex*-Divisional Forest Officer, G. P. Malhotra, in 1989-90 and 1991 in Kamraj. As the officer in question has since been dismissed, no further action in the matter can now be taken.

4. No contract has been sanctioned without calling for tenders or without auction in the Jammu Circle except contracts of Banafsha flowers concerning Reasi Division for 1993 which was given to one Sunder Dass of Reasi under Government orders as 1992 contract was auctioned in his favour at high rates and the contractor wanted leniency to have 1992 contract without auction on an average of three year's revenue which was both in the interest of Government and the contractors.

(*b*) Contractors Nos. 1 and 2 are non-State-subjects while the rest are State-subjects.

706. HAJI AHMEDULLAH SHAHDAD : (*a*) Will the Hon'ble Judicial Minister be pleased to state how many posts of clerks, peons and gazetted officers have fallen vacant in the Judicial Department since the passing of the orders to act according to the recommendations of the Glancy Commission?

(*b*) How were the above-mentioned posts distributed? How many of these posts were given to Muslims, Hindus and Kashmiri Pandits respectively?

KHAN BAHADUR SHEIKH ABDUL QAYOOM (On behalf of the Hon'ble Judicial Minister) : The reply to this question requires collection of figures even from the Frontier Districts. The question will be replied to in the next session of the Praja Sabha.

707. HAJI AHMEDULLAH SHAHDAD : (*a*) Will Government please state how many Muslims and non-Muslims have been suspended or dismissed from the Governor Kashmir's office during

the tenure of office of the present Governor and from the Wazarat office of Anantnag, Baramulla and Muzaffarabad during the period the present Wazirs-i-Wazarat have held offices in the said Wazarats respectively?

(*b*) How many Hindus and how many Muslims have been appointed in place of the dismissed and the suspended?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*)

		Muslims.	Non-Muslims.
1. Governor Kashmir's office	...	1	4
2. Wazarat Anantnag	...	1	7
3. Wazarat Baramulla	...	2	2
4. Wazarat Muzaffarabad	...	2	2
Total	...	6	15

(*b*) Out of these, 5 non-Muslims were re-instated and on the remaining 16 posts 8 Muslims and 8 non-Muslims were appointed.

708. HAJI AHMEDULLAH SHAHDAD : (*a*) Will the Hon'ble Judicial Minister be pleased to state whether after the expiry of the date mentioned in the advertisement published by the court of the Chief Judge, Srinagar, Mr. Attal, Session Judge Kashmir, appointed an old experienced hand who had been posted without granting any travelling allowance in a temporary arrangement in the Sub-Judge's Court at Muzaffarabad on the condition that his claims would be considered on the occurrence of a vacancy and in 1935 when the post of an Ahlmad fell vacant in the court of Sub-Registrar, Srinagar, a proposal to appoint him was submitted to higher authorities for favour of sanction but the higher authorities appointed somebody else?

(*b*) If so, was it not done against the rules of advertisement? If so, why?

(*c*) When will the above mentioned candidate be appointed and why, in view of his ability and the testimonials granted to him by his officers which are lying in the Sessions Judge's office, have his claims been disregarded?

KHAN BAHADUR SHEIKH ABDUL QAYOOM (On behalf of the Hon'ble Judicial Minister) : The reply to this question is not yet ready and will be sent to the member as soon as ready. A report has been called for from Srinagar and its receipt is still awaited.

709. HAJI AHMEDULLAH SHAHDAD : (*a*) Does the Hon'ble Home Minister know that the Middle School Ganderbal was opened two years ago, but the seventh class has not yet been added to it and the students who passed the sixth class from this school are wandering about?

(*b*) If so, will Government please state reasons why there is such irregularity and when will this irregularity be removed? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) Yes, but I have no information that the students are wandering about.

(*b*) No irregularity has been committed.

710. HAJI AHMEDULLAH SHAHDAD : (*a*) Are Government aware :—

(*i*) That Education Cess is realized from zamindars along with the land-revenue?

(*ii*) That the present schools do not serve any special purpose for the zamindars?

(*iii*) That as mentioned in the last question (Q. D. No. 604) Middle and High Schools have not been opened in certain towns?

(*iv*) That the Quran is not taught regularly to the zamindars and

(*v*) That they educate their children in their circles at their own expenses without any aid from the Government?

(*b*) Are Government prepared to open Middle Schools and High Schools in those towns where there are boys in large number?

If not, will Government help the zamindars in these hard days by remitting them the Education Cess?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) (*i*) Yes, only Rs 45,000 out of the total expenditure of Rs. 18,50,761 on Education is realized in the form of Cess.

(*ii*) No.

(*iii*) Yes.

(*iv*) The teaching of Quran is not included in the curriculum of schools.

(*v*) The Department has no information regarding this.

(*b*) Yes.

MIRZA GHULAM MOHAMMAD SADIQ : Will not Arabic be treated even as Hindi?

THE HON'BLE MR. WAJAHAT HUSSAIN : I do not want to answer that, Sir.

711. HAJI AHMEDULLAH SHAHDAD : (*a*) Are Government aware that in the last two sessions of the Praja Sabha especially in reply to my question No. 248, the Hon'ble Revenue Minister promised to inspect the Sarai Idgah specified for the travellers coming from Ladakh, Kargil and Askardu?

(*b*) If he has inspected the Sarai, why have no steps been taken so far to improve the Sarai?

(*c*) If he has not inspected the Sarai, so far, what are the reasons therefor?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Reference to Q. D. No. 248 is incorrect. The correct No. is Q. D. No. 407 in reply to which it was said that no promise of visiting Idgah Sarai had been given.

(*b*) and (*c*) Do not arise.

HAJI AHMEDULLAH SHAHDAD : Is it a fact that the Hon'ble Revenue Minister promised to inspect the Sarai at Idgah? If so, why did the Hon'ble Revenue Minister not inspect the Sarai and take steps to improve it?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No such promise is on record.

MIAN AHMED YAR (Muzaffarabad :Muslim) : When a promise was made in the last session, why has it not been recorded?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Reference to Q. D. No. 248 does not seem to be correct

712. HAJI AHMEDULLAH SHAHDAD : Will the Hon'ble Minister concerned be pleased to state (*a*) what is the annual income of the Income Tax Department in each province?

(*b*) What is the annual expenditure of the Income Tax Department in each province?

(*c*) What amount is spent on the salaries of the officials and what is the net saving?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The income of the Income-Tax Department is for obvious reasons variable but the amount of assessment for the year ending 31st Assuj 1991 was as under :—

		Rs. a. p.
Kashmir Province	...	72,524-11-0
Jammu Province	...	55,724- 3-0
Government pensioners and Private employees	...	10,028-14-0
Total	...	1,38,327-12-0

(*b*) and (*c*)

Direction Office (Salary)	...	9,094-0-0
Kashmir Province do.	...	6,758-0-0
Jammu Province do	...	6,643-0-0
Expenses other than salary and establishment which were registered collectively for all the offices	...	9,647-0-0
Net saving	...	1,15,833-0-0

But this figure cannot be regarded as final and will increase appreciably when the work of assessment carried forward from the last year will actually be completed.

713. SARDAR ABDUR REHMAN KHAN (Udhampur :Muslim) : Do Government intend to establish a nursery at some place in Udhampur District? If the answer be in the affirmative, when will it be so done?

Will there be other plants of costly wood besides the fruit plants in the nursery?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : A nursery of fruit plants has been started by the Government at Batote (Udhampur District) this year for the benefit of zamindars who can grow such fruits in the district and round about. The nursery will produce all sorts of plants which can be grown and for which there will be any demand.

SARDAR ABDUR REHMAN KHAN : Batote is a cold place. How can the plants of the Batote nursery grow in hot countries and in the Kandi Illaqa?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : These are arguments.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Your question is whether any nursery will be established in Udhampur District. The reply is that a nursery has been started at Batote.

SARDAR ABDUR REHMAN KHAN : Sir, I have asked about Udhampur District.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Batote is in the Udhampur District. (Laughter)

714. SARDAR ABDUR REHMAN KHAN : Will Government please state the number of mulberry trees planted from the mulberry nursery of District Udhampur during the period between the years 1980 to 1992? How many out of them grew up and how many dried?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : From 1980 to 1992, 17,223 plants have been issued from the mulberry nursery at Udhampur and planted in various Illaqas. In those Illaqas for which information is available about 60 per cent. are reported to be thriving.

715. SARDAR ABDUR REHMAN KHAN : (*a*) Did the Hon'ble Revenue Minister state on 19th Katik 1992 in reply to my question No. 782 that land-revenue would be remitted for as much fertile and vacant area of the zamindars as had come under the Ramnagar Road in the year 1982 since the date of its coming under the road and that compensation would be paid for the same? But no action has been taken in this behalf as yet? Do Government even now pay some heed to this matter?

(*b*) Is it a fact that the zamindars are still paying the revenue for the land in question and are undergoing every harvest a heavy amount of interest?

(*c*) Could not Government pay the price of the land on the date of acquiring possession so that the zamindars may not be ruined and put to inconvenience?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : For lands utilized in 1982 by the Military Department, remission will be allowed from the date possession was taken over as stated last year.

Formal acquisition was in progress, but had to be held over as final alignment of the road now being constructed by Rama Nand and Co., had to be kept in view. Some of the lands may have to be surrendered and fresh areas may have to be acquired. The Governor of Jammu is taking up the question of determination of compensation and remission of land-revenue in the next month as soon as the alignment of the present road is finally adopted.

Orders for keeping the revenue under suspension are being issued.

716. SARDAR ABDUR REHMAN KHAN : Will Government issue a notification in the Gazette to the effect that the price may be paid on the date when the possession of a land is taken so that the poverty stricken subjects may not have to undergo such a heavy burden which lies over them throughout their life?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The question is not clear, it is a suggestion for action to be taken by Government for which he can bring in a Resolution. The Standing Orders are that possession of land is not to be taken when compulsorily acquired before payment of compensation except in emergent cases when interest is also paid.

717. PANDIT RAM CHANDRA DOBEY (Kathua :Hindu) : Will Government please place before the House a statement showing the number of such Naib-Tehsildars who have been made permanent during the last two years? How many amongst those were such as were given the grade by promotion and how many amongst those nominated? How many such candidates are there at present in the Revenue Department who have worked in the Settlement and have passed the examinations but who have not been provided with permanent posts?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part.*---Three persons have been made permanent Naib-Tehsildars during the last two years.

2nd part.—One of these who was holding the post of Head Clerk in 85-5-135 grade in the Revenue Secretariat and was fully qualified was transferred as 2nd grade Naib-Tehsildar. The other two who previously held S. P. T. appointments of 3rd grade Naib-Tehsildars have been confirmed in this grade in order of seniority.

3rd part.—None.

PANDIT RAM CHANDRA DOBEY : Who have been appointed S. P. T. in place of those who held S. P. T. appointments and have been confirmed?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It is a new question.

718. PANDIT RAM CHANDRA DOBEY : Government have sanctioned the opening of a good number of girls schools this year.

Will Government please state whether they are prepared to open new girls schools in village Barwal, Tehsil Kathua and in village Kota, Tehsil Jasmergarh, both of these being big villages?

THE HON'BLE MR. WAJAHAT HUSSAIN : Ten girls schools, five in Jammu and five in Kashmir, are to be opened this year.

A girl school will be opened at Barwal from Baisakh 1993. The case of Kota will be considered in future.

719. PANDIT RAM CHANDRA DOBEY : Will Government please state which officers have assessed income tax in Kathua, Jasmergarh and Basohli tehsils, in the course of such assessment

how many persons were found who had not maintained regular accounts of ordinary business and what considerations have been kept in view in such cases?

Which of the higher officers on appeals being preferred, checked such assessment?

How many appeals were preferred in each of these three tehsils? How many of them have been disposed of and how many are still pending?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI :
I. Lala Dharam Pal Vodehra, B. A., LL. B.

II. No person was found to have maintained regular accounts containing profit and loss statement.

III. In almost all such cases, sale figures and income from interest were available and turnover system was adopted in calculating the profit.

IV. Income Tax Officer.

V. Three in Kathua, 3 in Basohli and 2 in Jasmergarh.

VI. The appellate work of Kathua and Jasmergarh Tehsils has since been concluded.

PANDIT RAM CHANDRA DOBEY : Were these decisions upheld in appeal or set aside?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : You had not asked that.

PANDIT RAM CHANDRA DOBEY : What was the decision in Bosohli cases?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : I cannot say that now. You may come over to me some time and I shall let you know.

720. PANDIT RAM CHANDRA DOBEY : On the night between the 15th and 16th of Poh 1992 at a distance of about four or five miles away from Samba towards Kathua, a young camel driver was killed being run over by the lorry No. 674 which had no light and the brakes whereof were also not in proper order, and that thereon

the public complained of there being no proper lorry traffic arrangement on the Jammu-Kathua road.

Will Government please state as to what steps have been taken for the improvement of the traffic arrangements and what are the results of the investigation regarding this particular case?

THE HON'BLE MR. WAJAHAT HUSSAIN : The driver of the lorry was challaned but was discharged by the court.

The traffic on the Jammu-Kathua road does not justify any special arrangements.

PANDIT RAM CHANDRA DOBEY : Has lorry traffic at night been stopped?

Will Government consider this case?

THE HON'BLE MR. WAJAHAT HUSSAIN : The matter has been considered. Many lorries do not run at night.

PANDIT RAM CHANDRA DOBEY : If many lorries do not run at night, why is night traffic not stopped?

THE HON'BLE MR. WAJAHAT HUSSAIN : It has not been considered necessary, because there has been only one accident in three years.

721. PANDIT RAM CHANDRA DOBEY : Are Government aware that though Jammu-Samba road has been considered as metalled, still its condition is unspeakable?

Its condition is more wretched than that of an unmetalled road.

Is there any scheme to improve it under the consideration of the Government? If so, the same may be stated.

THE HON'BLE MR. WAJAHAT HUSSAIN : The road has been metalled upto mile 21 and the last 4 miles be metalled when funds are forthcoming for the purpose. It is a fair weather road and during dry season, its condition is satisfactory. The road is crossed by Bahlol, Aik, Dewak, Basanter and many other Nullahs, the beds of which cover a length of about one-third of the whole road. During the rains, the crossings over the beds of these Nullahs are either washed away or damaged and are repaired immediately after the flood subsides.

PANDIT RAM CHANDRA DOBEY : When will bridges be constructed over the 21 miles of road that have been metalled and when is the remaining part of the road expected to be metalled?

THE HON'BLE MR. WAJAHAT HUSSAIN : Where?

PANDIT RAM CHANDRA DOBEY : It has been stated in the reply that the road has been metalled upto 21 miles. This will prove of no use unless the remaining part is also metalled and bridges are constructed. When can we expect arrangements for bridges to be made?

THE HON'BLE MR. WAJAHAT HUSSAIN : It has been stated that it is a fair weather road. Beds of Nullahs cover one-third of its length and no bridges can be constructed there.

PANDIT RAM CHANDRA DOBEY : Will the road remain closed to traffic during the rainy days, because so long as bridges are not constructed the road cannot be used during the rainy days.

THE HON'BLE MR. WAJAHAT HUSSAIN : Efforts will be made. Permanent bridges can not be constructed at present.

PANDIT RAM CHANDRA DOBEY : Cannot permanent bridges be constructed? Stones are lying there and can be used for the construction of temporary bridges.

THE HON'BLE MR. WAJAHAT HUSSAIN : The matter will be referred to the Chief Engineer.

722. PANDIT RAM CHANDRA DOBEY : Cattle and the wheeled traffic is not allowed without permission on the Ujh canal road and the Patties in this Illaqa are in extremely wretched condition and the restriction regarding traffic on this canal road has led to great hardships for the zamindars.

Are Government prepared to grant free permission to the zamindars with due regards to the agricultural purposes for the cattle and the wheeled traffic on this road? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN : For safety and proper maintenance of the canal, it is not desirable to grant such permission.

PANDIT RAM CHANDRA DOBEY : When the road is open to the public, what damage will cattle traffic cause to it?

THE HON'BLE MR. WAJAHAT HUSSAIN : I regret, the Engineer reports that the canal road will be damaged so no permission can be given.

723. PANDIT RAM CHANDRA DOBEY : The subjects are made to face different hardships owing to certain improper harsh treatment on the part of the local officers of the Customs Posts on the outskirts of the State.

Are Government prepared to relieve the subjects from such improper hardships by ordering the Inspector Customs to call once after every three months the elected public representative, of each tehsil at the head-quarters of the district and to hear cases in the presence of the Wazir Wazarat regarding the different public complaints against the local Customs officers and thus redress the justified grievances of the public?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The allegation made is of a vague character and the suggestion made for the removal of the alleged grievance is impracticable and undesirable from the administrative point of view. But if the member has any specific instance of alleged harsh treatment within his knowledge, the Minister-in-charge and the Inspector General of Customs and Excise will be glad to look into the matter.

PANDIT RAM CHANDRA DOBEY : Various questions have been asked to show that the provincial officers go on tour and return after completing their programme. The people get no opportunity to represent their true grievances. Complaints should be heard at the head-quarters in the presence of the district officers.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : If there is any such case, the Council will consider it and if there is any complaint, you may submit it and state that the people are not benefited. It will be considered.

724. PANDIT RAM CHANDRA DOBEY : In the Mufassils the subjects have to face different hardships owing to the improper harsh treatment by the local police officials. Are Government prepared to relieve the subjects from such hardships by ordering the Senior Superintendent of Police to call the elected public representative from each tehsil at the head-quarter of a district and to hear in the presence of the Wazir Wazarat different cases regarding the different public complaints against the improper treatment by his subordinate officers and thus take necessary action in regard to just complaints?

THE HON'BLE MR. WAJAHAT HUSSAIN : The suggestion made by the Praja Sabha Sad is not workable. Government is always prepared to have a full enquiry made into any complaint that is submitted to it.

RAO BAHADUR MAJOR GENERAL THAKUR JANAK SINGH JI : When radios will be installed in every village, the people will get information about the tours of the officers.

725. PANDIT RAM CHANDRA DOBEY : Are Government prepared to consider the justified grievances of the subjects by ordering the Conservator of Forests to call, after every three months, the representatives of the public at the head-quarters of the district and to hear the complaints of the poor subjects in the presence of the Wazir Wazarat and administer justice after considering their just complaints?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Whenever the Conservators are on tour, the public is welcome to submit their grievances which will be redressed if found genuine.

726. PANDIT RAM CHANDRA DOBEY : Are Government, in order to lesson the hardships of the zamindars, prepared to order the Treasury Officer to certify on the back of the receipt obtained on payment of the land-revenue after each harvest that no sum has been spent on behalf of the village beyond the amount paid into the Treasury? This certificate will facilitate the settlement of village accounts regarding "*Malba*" (Cesses etc) and the officials of the treasury also will refrain from charging their "*Rasum*" (commission).

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The treasury issues receipts for the amounts actually recovered by the Tehsildar and received by the treasury. The question of recording the desired certificate on the back of the receipt by the Treasury Officer does not arise. No case of treasury having charged commission in any case has come to the notice of Government, but if the Member Praja Sabha has any concrete case within his knowledge the Finance Minister will be glad to look into the matter if approached in due course.

727. PANDIT RAM CHANDRA DOBEY : The weekly attendance of the Chowkidars at the Thanas causes defects in the work of their night watch in villages. Are Government considering this fact prepared to order for the monthly attendance instead of the weekly attendance of the Chowkidars? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN : The Chowkidars of the village within a distance of ten miles attend the police stations once a week while those beyond ten miles once a fortnight. No change in this practice is considered necessary.

PANDIT RAM CHANDRA DOBEY : Will it make any difference if the Chowkidars attend the Thana once a month instead of attending it once a week or once a fortnight?

THE HON'BLE MR. WAJAHAT HUSSAIN : It is their duty to attend to Thana once or twice a week.

PANDIT RAM CHANDRA DOBEY : For what purpose?

THE HON'BLE MR. WAJAHAT HUSSAIN : They have to attend for official duty and for the submission of the register of births and deaths.

728. MALIK GHULAM HUSSAIN (Kulgam :Muslim) : (*a*) Have Government prescribed any rate of fees for obtaining copies of extracts from the records of Jamabandi, Girdawari, Shajra Khasra etc?

(*b*) If the answer be in the affirmative, will Government please state whether the Patwari abide by it or they are acting arbitrarily?

(*c*) Will Government in order to check bribery in connection with obtaining said copies introduce this procedure that the applicant by applying in the Tehsil may obtain personally or by post the required copies from the Tehsildar and may deposit the fees for this in the Tehsil?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Patwaris must abide by this. Arbitrary action of the Patwari is always punishable.

(*c*) The method suggested by the Member Praja Sabha is sure to lead to delay, which may be injurious to the parties concerned, while the present method of obtaining copies is in the interest of those concerned.

MIAN AHMED YAR (Muzaffarabad :Muslim) : Has the present practice of obtaining copies from the Record Room and from Sadar Qanungo been abolished, as it appears from the reply?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No, it has not been abolished.

MIRZA M. A. BEG (Anantnag :Muslim) : It has been stated that the Patwari must abide by the orders. Do Patwaris abide by them?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : If there is any complaint, you may submit it in writing. Inquiry will be made. Orders are issued for compliance.

729. MALIK GHULAM HUSSAIN : (*a*) Will Government please state the number of files pertaining to the fallen trees like those of Chinar in the Southern Wazarat which are pending decision for more than one year and will they also supply the following statement for the information of the House :—

Files pending decision for one year.	Files pending decision for more than two years.	Files pending decision for more than three years.	Files pending decision for more than four years.

(*b*) Do Government know as to what loss they are suffering by keeping pending such files for a long time?

(*c*) Have Government taken any action against the concerned officers for such delay? If so, the details with the names of the officers may please be stated.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) 8 cases.

	Files pending decision for one year.	Files pending decision for more than two years.	Files pending decision for more than three years.	Files pending decision for more than four years.
Tehsil Pulwama ...	5	1	Nil.	1. Auction was sanctioned long ago. The amount of the highest bid has not yet been paid
Kulgam ...	4	1	Nil.	
Khas ...	6	Nil.	Nil.	
Anantnag ..	10	3	2	

(*b*) Receipts from the disposal of Chinar trees are not appreciable. The intention of the restriction is to protect Chinar and to discourage lopping or cutting of this tree.

(*c*) Attention of the Wazir Wazarat is being drawn to the cases that have been pending for more than 2 years. He is being asked to hurry up their disposal and report action in a month's time.

730. MALIK GHULAM HUSSAIN : (*a*) Will Government please state whether the Revenue and Judicial officers are directed to personally give intimations or inform the parties regarding the date appointed for subsequent appearance?

(*b*) If the answer be in the affirmative, will Government please enquire from all officers concerned in the Southern Wazarat as to how many of them personally gave intimations or directions regarding the date of appearance and to how many parties, and how many such parties were supplied intimations by the Moharrirs?

(*c*) Will Government stop this source of bribery by prohibiting the intimation through Moharrirs?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Although no definite orders exist on the subject, the Revenue officers generally give intimation of the adjourned date to the parties concerned personally, if the parties are present.

(*b*) In all cases orders were given by the presiding officers when they were present in the courts.

(*c*) Does not arise.

NOTE.—The above question was also replied to by the Hon'ble Judicial Minister, which is as follows.

The reply to part (*a*) of the question is in the affirmative.

(*b*) Enquiry as suggested by the member will be made and result of the enquiry will be communicated in the next session.

So far as the Judicial Department is concerned courts have reported to the High Court that the presiding officer of the court intimates the date fixed in a case, as a rule.

(*c*) Such a prohibition already exists in the Judicial Department.

731. MALIK GHULAM HUSSAIN : Will Government please

state the total number of Treasurers in the Jammu and Kashmir State? How many among them are Muslims and how many non-Muslims?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The total number of Treasurers, Cashiers and Sarafs in Saddar and Mufassil Treasuries is 45 who are all except one non-Muslims; these men were appointed by General Treasurer under Article 41 State Treasury Code, on his personal responsibility.

MIAN AHMED YAR : Are they Government servants or the private servants of the General Treasurer?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : They are Government servants.

MIRZA M. A. BEG : Can Government lay down any policy for appointments?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : No safer arrangement can be made by the Government.

732 KHAWAJA SAIF-UD-DIN SHAH (Baramulla :Muslim) : (*a*) Will the Kashmir Government please state whether a sum of rupees two lacs and a half has been granted as aid to the Hospitals?

(*b*) Has this amount been granted to all Hospitals, in general, or to some particular Hospitals?

(*c*) Are sufficient arrangements provided for indoor patients in the Public Hospitals?

(*d*) Is a sufficient number and quantity of medicines provided there?

(*e*) Will this sum of rupees two lacs and a half be utilized especially for the State-subjects?

(*f*) Will the outside patients suffering from tuberculosis and consumption be freely permitted to benefit by this?

(*g*) If they will be granted free permission in this behalf, is there no apprehension of the desease thus spreading in the State? If not, how?

THE HUN'BLE MR. WAJAHAT HUSSAIN : (*a*) The member

probably refers to the distribution of the Jubilee Fund. Rs. 1,75,000 has been given for various purposes to the Medical Department.

(*b*) Rs. 25,000 is earmarked for the establishment of a Zanana Hospital at Mirpur, Rs. 40,000 for lauching a campaign against venereal diseases of the sub-mountain Tehsils of Jammu Province and the rest for fighting the scourge of Tuberculosis.

(*c*) Fairly satisfactory arrangements exist.

(*d*) Yes, for ordinary use(patent medicines are not available).

(*e*) Yes.

(*f*) No, not freely.

(*g*) None.

733. KHAWAJA SAIF-UD-DIN SHAH : Are Government prepared to place on the table a statement showing the number of the employees in the Public Works and Electric Departments?

Will Government also state the number of Muslim and non-Muslim employees therein together with the posts held by them?

THE HON'BLE MR. WAJAHAT HUSSAIN : The number of employees in the P. W. D. on 10th October 1935 stood as 516. The details are :—

		Muslims.	Non-Muslims.
Gazetted	...	2	16
Non-gazetted	...	40	303
Menials	...	27	128
Electrical Department.			
Gazetted	...	Nil.	5
Non-gazetted Regular	...	17	107
Menials	...	8	40
Total	...	.....	177
Work Charge	...	99	108

KHAWAJA SAIF-UD-DIN SHAH : What are the reasons for this paucity of Muslims?

THE HON'BLE MR. WAJAHAT HUSSAIN : Please consult the Glancy Report. You will find everything there.

734. KHAWAJA SAIF-UD-DIN SHAH : Are Government prepared to place on the table a statement showing the number of the employees in the Forest Department?

Will the Government also state the number of Muslim and non-Muslim employees therein together with the posts held by them?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM :

		Muslims.	Non-Muslims.	Vacancies.
Chief Conservator of Forests	...	.....	1	.....
Conservators of Forests	...	.....	2	.....
Deputy and Assistant Conservators.		5	25	2*
Rangers	...	16	68	6
Foresters	...	47	146	4
Forest Guards	...	280	719	7
Superintendents and Head Clerks and Clerks	...	5	101	1
Range Clerks	...	1	24	.....
Peons, Farashes and Chowkidars and Jamadars	...	30	36	3

735. KHAWAJA SAIF-UD-DIN SHAH : Are the Kashmir Government aware of the present struggle between the Central Jail and the Lunatic Asylum and will Government state how two lunatics died of chill?

(*b*) Is entire attention paid to a certain Darwesh named

*Two Muslims appointed officiating against these vacancies.

Shaban Sahib and the other lunatics are neglected?

(*c*) Will a public representative or a Committee be permitted to make such inquiry? If not, how can Government come to know such circumstances which the officials concerned will not wish to disclose?

THE HON'BLE MR. WAJAHAT HUSSAIN : The Government is not aware of any struggle between the two institutions which are separately administered. In Magh last, Musa and Subhan Tanda lunatics died of Pneumonia and Diarrhoea on 6th and 7th respectively. Information was given to the District Magistrate as usual.

(*b*) No.

(*c*) Government has no reason to believe that its officers do not disclose the facts of a case. In the circumstances the question does not arise.

KHAWAJA SAIF-UD-DIN SHAH : Will Government inquire?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes, it will.

KHAWAJA SAIF-UD-DIN SHAH : Will the House be informed after the inquiry?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes, if you ask a question.

736. KHAWAJA SANAULLAH SHAH (Handwara :Muslim) : (*a*) Are Government aware that the zamindars have constructed Dalah Kuhl on their own expenses?

(*b*) Is it a fact that the Canal Department of Lala Kuhl, after Dalah Kuhl was constructed, have forcibly realized from the zamindars *Abiana* for the area irrigated by Dalah Kuhl in accordance with the rate of *Abiana* charged in the case of Lala Kuhl and that the same is being realized even now?

(*c*) Will Government please state as to what amount of *Abiana* has been realized by the Lala Kuhl Department for the area irrigated by Dalah Kuhl since the opening of said canal uptil now? What amount out of it has been spent specially for the said canal and what amount has been saved?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) No. The zamindars agreed to pay *Abiana*.

(*c*) Separate accounts for Dalah Kuhl have not been kept. The information is therefore not available.

737. KHAWAJA SANAULLAH SHAH : (*a*) Are Government aware that Nala Mawar, when in flood, usually becomes the cause of ruin and destruction of the lands and houses of the villages situate on either sides of it and thus leads to the destruction of the entire Illaqa?

(*b*) If it is a fact, will the benign Government please state what means have been thought out by the Government for the protection of the Illaqa and the inhabitants thereof?

(*c*) If some proposal is under consideration, do Government consider it advisable to take some immediate steps in this behalf? If so, when will it be practically so done?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes. Sometimes partially like all hilly Nallahs.

(*b*) At such times relief is given to the sufferers in the shape of remission or suspension of land-revenue under the rules and free grants of timber are made for construction of houses.

(*c*) Does not arise in view of (*b*) above.

738. KHAWAJA SANAULLAH SHAH : (*a*) Are Government aware that the road from Sopore to Handwara, Lolab, Trehgam, Naihari constitutes the only way for through public traffic and for the conveyance of imports and exports?

(*b*) Are Government also aware that this tehsil is a frontier Illaqa on account of which usually all the paths are arduous?

(*c*) Is it a fact that this is the only main road in the said tehsil where tonga and motor lorry traffic is possible and that only this road helps the trade business of the entire tehsil?

(*d*) Are Government aware that it is only in dry weather that this road is fit for the tonga and lorry traffic and that during rainy days it is closed especially in winter season ; owing to snowfall this way is closed for months together for tonga and lorry traffic?

(*e*) Do the benign Government realize that during the days this road is closed great trouble is caused to the traffic and obstruction and trouble is caused to the trade business of this tehsil whereby the conveyance charges being increased the inhabitants of this tehsil get their necessities at a very dear price, and the rates of price of the produce in this tehsil being greatly reduced, the poor zamindars of this tehsil are led to face destruction?

(*f*) Are Government aware that there is always an outcry for metalling of this road and that no attention is paid in this behalf?

(*g*) If what is said above be correct and necessary, will the benign Government by way of a favour paying special attention to the metalling of this road, consider it necessary to remove to some extent the troubles of the tehsil? If so, will it be re-metalled in the current year?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*), (*b*), (*c*), (*d*) and (*e*) Yes.

(*f*) and (*g*) The road will be metalled as soon as possible.

739. KHAWAJA SANAULLAH SHAH : (*a*) Are Government aware that a large part of the Illaqa Hamal is irrigated by the following Kuhls :—

Gasji Kuhl, Badrashi Kuhl, Daulat Kuhl, Nau Kuhl, Nabar Kuhl and Qazi Kuhl.

(*b*) Will Government please state as to what preventive measures have been adopted by them for the distribution of water to avoid great quarrels and feuds that take place among zamindars at the time of insufficiency of water over the matter of irrigating lands by these Kuhls, whereby their life and property may be saved?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Generally shares for the distribution of water among zamindars are entered in *Rivai Abpashi* to avoid quarrels. At the time of insufficiency of water, it is primarily for the zamindars to arrange its distribution according to their proportionate shares and whenever necessary the Revenue officers also render necessary help to avoid conflict amongst different parties. Revenue officers arrange distribution of water among the zamindars in accordance with their needs and necessities, on one hand and the total supply on the other.

740. KHAWAJA AKBAR DAR (Pulwama :Muslim) : (*a*) Does the Hon'ble Revenue Minister know that in 1985, a good deal of cultivated area of village Manigam, Tehsil Srinagar was washed away by the flood in Nullah Sindh and has consequently become unfit for cultivation?

(*b*) If the answer to (*a*) be in the affirmative, what action has the Revenue Department taken to remit the land-revenue for the said area? Has the land-revenue for the area thus washed away been remitted?

(*c*) Have the zamindars of Manigam submitted any application in this respect during the last seven years *i. e.* from 1985 to 1992? If so, what action has been taken on it so far?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Village Manigam was not included in the sanctioned list of *Burdi Baramdi* villages and sanction has been accorded for its inclusion in the list B of villages affected by alluvion and diluvion. The Governor Kashmir has been asked to take early action for remission of revenues.

(*c*) The concerned file is with the Governor of Kashmir. He had been taking action for inclusion of such villages in the *Burdi Baramdi* lists of the different Tehsils of Kashmir valley on which orders have been passed *vide* (*b*) above.

MIRZA M. A. BEG : Will the land-revenue realized last year be refunded?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Yes, these villages have not, in fact, been included in the list. Remissions are usually granted when the file is prepared at the time of Settlement. They were intended to be included in the list. As they have been included now, land-revenue will be remitted.

741. KHAWAJA AKBAR DAR : (*a*) Does the Hon'ble Home Minister know that in respect of extent, population and situation, Shopian occupies the third place among the towns of Kashmir and that it is a trade centre and a central place in a very extensive mountainous Illaqa where it is very difficult to travel about?

(*b*) There is no big Hospital or Zenana dispensary in such a big and historical town. There is only one Mardana dispensary of a very ordinary type where there is always a complaint for want of medicines?

(*c*) Is it a fact that this dispensary is annually supplied with medicines worth Rs. 300 only including the freight charges?

(*d*) If the answer to (*c*) be in the affirmative, are medicines worth 10 or 12 annas only dispensed daily in the dispensary?

(*e*) Can the medicines worth 12 annas a day be sufficient for a dispensary where hundreds of patients come every day?

(*f*) Does the Hon'ble Home Minister, keeping all these facts in view, intend to take practical steps for the sake of the public health in this remote Illaqa?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes, Shopian is an important trading town.

(*b*) There is one Government dispensary but no complaint has been received about shortage of medicines.

(*c*) No. Annually medicines worth Rs. 400 are supplied including freight charges.

(*d*) Does not arise.

(*e*) The member is as much able as I am to draw his conclusions.

(*f*) There are other dispensaries serving this Illaqa *i. e.* Kulgam, Pulwama within a radius of 16 miles round Shopian.

KHAWAJA AKBAR DAR : Has the public not complained of it?

THE HON'BLE MR. WAJAHAT HUSSAIN : I shall inquire.

742. KHAWAJA AKBAR DAR : (*a*) Is it a fact that the Customs Department allowed special concessions to the Kashmir Match Factory and the Soap Factory in spite of the fact that their proprietors are non-State-subjects?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The Customs Department has not granted any concessions excepting those sanctioned by Government. In the case of the Soap Factory, the Government have granted concessions on the condition that the share-holders are State-subjects. As regards the Match Factory so far as the Customs Department knows, its proprietor is a State-subject.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Though you take it ill, yet the Rule is that when there is an allegation against anybody and you want to submit a complaint,you should enclose a certificate to it, so that it may be sent to the concerned Minister to enable him to see whether the complaint is based on facts or not.

743. KHAWAJA AKBAR DAR : (*a*) Is it a fact that when the fruit is brought within the Srinagar Municipal limits for export to Punjab, a provisional duty is charged therefor, on the condition that the sum will be refunded as soon as the fruit is sent out from Srinagar but only two weeks time is fixed as period for refunding such sum?

(*b*) If the answer to (*a*) be in the affirmative, is it not possible that the goods may remain lying at Srinagar for months together and the deposited sum being paid to the treasury by reason of the expiry of the prescribed time either the depositors have to undergo much trouble to get the refund bills sanctioned, or the sum will be forfeited on the grounds of being time barred?

(*c*) Do the Kashmir Government, in view of the importance and the necessity of the fruit trade and in view of the interests of the country, by graciously extending the period for the refund of the deposit, intend to give impetus to the fruit trade?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Octroi duty is charged on fruits when they enter octroi limits, but is refundable in the case of goods exported from the city within 3 months provided the claim is made under the rules.

(*b*) The period of three months is sufficient for the purpose. The amount of duty is repayable without the exporter having to submit a claim for refund, if the export is made within 15 days of the import. But thereafter, the money is remitted to the Treasury and refunded only after receipt of a formal claim for refund within one month from the date of export. The period of 15 days is prescribed by the Treasury Code and Government do not consider it expedient to extend it and thereby permit very large amounts of cash to accumulate in Departmental chests.

KHAWAJA AKBAR DAR : If the goods remain in Srinagar for three months, will the amount be refunded even then?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI [: Yes.

744. LALA RAM LAL VAKIL (Poonch :Hindu) : (*a*) Do Poonch Government intend to set up penal police posts in the agitated part of the Illaqa or not?

(*b*) If the answer to (*a*) be in the negative, the reasons therefor may please be stated.

WAZIR FEROZ CHAND (Wazir Poonch on behalf of the Hon'ble Revenue Minister) : (*a*) No.

(*b*) At present setting up a punitive police post there, does not seem expedient.

745. LALA RAM LAL VAKIL : (*a*) Is it a fact that during the political disturbances of 1988, the rebels having burnt the Nakial temple of Illaqa Thakyala, smashed the Murtis?

(*b*) If the answer to the question be in the affirmative, it may please be stated whether despite demanding help, Poonch Government granted no sum except wood for the reconstruction of the same and that the Hindus themselves constructed the temple?

(*c*) If the answer to (*b*) be in the affirmative, it may please be stated as to why a differential treatment has been meted out regarding the construction of the Hari Gehl mosque and this temple?

WAZIR FEROZ CHAND (Wazir Poonch on behalf of the Hon'ble Revenue Minister) : (*a*) Yes.

(*b*) The burnt temple was got reconstructed by the Administration through the Muslims. Timber was given free for the purpose by the Administration. In view of the above, the last part of the question does not arise.

(*b*) Does not arise in view of (*a*) and (*b*) above.

LALA RAM LAL VAKIL : Sir, I submit, why has differential treatment been allowed regarding temples and mosques?

WAZIR FEROZ CHAND : I have said, Sir, that it was not built by the Government but by the Muslims.

LALA RAM LAL VAKIL : Sir, I want to know why differential treatment was allowed in the construction of the Hari Gehl mosque and the temple.

WAZIR FEROZ CHAND : A Kacha mosque was built at that time.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The treatment is, to a great extent, the same.

746. LALA RAM LAL VAKIL : (*a*) Is it a fact that in Nakial temple of Illaqa Thakyala, no consecration of the Murtis has been held so far?

WAZIR FEROZ CHAND (Wazir Poonch on behalf of the Hon'ble Revenue Minister) : (*a*) Yes. A sum of Rs. 67-7-0 has been kept at the disposal of the Superintendent of Dharmarth for this purpose who has been directed to expedite the installing (*partishta*) of Murtis in the temple.

747. LALA RAM LAL VAKIL : (*a*) Is it a fact that during the political disturbances of 1988, the rebels having burnt the Dharmarth temple of Tehsil Mendhar, smashed out the Murtis, that the temple was reconstructed by the Hindus of Darabah themselves and that the consecration of the Murtis has not been held so far in the temple?

(*b*) If the answer to the above question be in the affirmative, it may please be stated whether the Poonch Government intend to consecrate the Murtis as they have constructed the Hari Gehl mosque?

WAZIR FEROZ CHAND (Wazir Poonch on behalf of the Hon'ble Revenue Minister) : (*a*) *1st Part*.—Yes.

2nd part.—The burnt temple was got reconstructed by the Administration through the Muslims. Hindus did not reconstruct the building as pointed out in the question. The Murtis have not been installed so far.

(*b*) The Administration will keep a reasonable amount for the installation of the Murtis at the disposal of the Superintendent of Dharmarth. This was not done so far as the matter was not specifically brought to the notice of the Administration.

748. YEBGO IFTIKHAR ALI KHAN (Skardu Tehsil :Muslim) : Is it not a fact that Girdawars, Patwaris, Guards and other junior employees are recruited from Jammu and Srinagar although local middle pass candidates are available in the frontier province

and the recruitment of local persons will not only safeguard their interests but will also avoid the burden of unnecessary frontier allowance on the State Treasury?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Patwaris, Guards and other junior employees are, as far as practicable, being recruited locally. But no direct recruitment can be made for the posts of Girdawars. Trained and efficient local Patwaris will, however, in due course be promoted as Girdawars.

749. YEBGO IFTIKHAR ALI KHAN (Skardu Tehsil :Muslim) : Is it not a fact that at very dangerous places from Askardu to Khaplu there is no bridge and at the insistent demand of the public the Government often initiated schemes for the construction of bridges but no bridge has been so far constructed at Fauqanq in Illaqa Khaplu?

THE HON'BLE MR. WAJAHAT HUSSAIN : No such demand has so far been made by anyone. Necessary report in the matter is being called for from the Divisional Engineer concerned.

750. MR. WAJID ALI SHAH (Kargil Tehsil :Muslim) : Is it a fact that in view of the growing number of LL. B's in Jammu and Kashmir, the Government has discontinued the grant of scholarships for legal studies? If so, can we appeal to the Hon'ble Judicial Minister for justice that in view of the educational backwardness of the inhabitants of the frontier where not to speak of a LL. B. there is no B. A. even, students from the frontiers should not be deprived of the opportunities for studies in law so that the frontier people like the inhabitants of Jammu and Kashmir may also receive the benefits of education?

KHAN BAHADUR SHEIKH ABDUL QAYOOM (On behalf of the Hon'ble Judicial Minister) : This is a fact that grant of scholarships for legal studies has been discontinued for reasons stated by the member but Government reserve to itself the right to grant scholarships for legal education in any particular case. If a case deserving of such help under some particular circumstances is brought to the notice of the Government, proper action will be suggested by the Judicial Minister.

751. MR. WAJID ALI SHAH : Is it not a fact that in the whole of the frontier province there is no local doctor? If so, will Government make up this deficiency by the grant of special scholarships for medical studies to the frontier students?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes. The Government is always prepared to consider applications for scholarships from deserving persons.

SARDAR KANHAYA SINGH : What does "deserving" mean?

THE HON'BLE MR. WAJAHAT HUSSAIN : Consult the dictionary. (Laughter)

SARDAR KANHAYA SINGH : I want to ask the Hon'ble Home Minister what he means by "deserving".

THE HON'BLE MR. WAJAHAT HUSSAIN : Exactly the same as is given in the dictionary. (Laughter)

752. MR. WAJID ALI SHAH : Is it not a fact that Girdawars, Patwaris, Guards and other junior employees are recruited from Jammu and Kashmir although local middle pass candidates are available in the frontier province and many middle pass candidates are deprived of these posts? Will Government please soon make up the deficiency in this respect?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The Member Praja Sabha is referred to reply to Q. D. No. 846 (serial No. 748 of today).

753. MR. WAJID ALI SHAH : Will Government please state what sum is annually sanctioned for the roads in District Ladakh and what amount out of it is spent particularly on roads?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Rs. 19,780 are spent annually on the roads of Ladakh District. Out of this Rs. 9,325 are being spent annually by the Public Works Department. The remaining sum is spent by the Joint Commissioners.

754. MR. JAGAT RAM ARYAN (Udhampur Wazarat :Hindu) : Will Government please state what schemes have been so far carried into effect to foster the development of cottage industries?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Peripatetic Party is at work for the last ten years to help the development of handloom weaving. Patronage extended by the Government in the shape of Civil purchases being allowed from local firms only has been specifically helpful in developing the small scale and cottage scale manufacturing. Dyeing demonstration by the Havero Trading Co.

have done a great deal to improve the local dyeing. Technical schools established at important centres have to some extent been helpful in promoting the growth of small scale works. The Demonstration Tanning Factory at Jammu served in showing others the way to set up tanneries (Mirpur tanneries). Departmental dyeing and tanning demonstrations are being organized. Organization of cattle fairs is under consideration. In the interest of hand-loom Weaving Industry, a research station is being opened. Shree Karansingh Wollen Mills has been assisted simply for supplying the cottage weaver with treated wool in order to improve hand-loom products. For further details Member Praja Sabha is referred to reply to Q. D. No. 199 of Srinagar Session in October 1934.

755. MR. JAGAT RAM ARYAN : Will Government please state what value of cloth is annually imported into the State and what quantity of raw wool and cotton is exported from the State?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Import figures of cloth and export figures of cotton raw are as under :—

		1989-90. Value.	1990-91. Value.	1991-92. Value.
Cloth	...	63,30,670	50 67,874	62,45,992

Exports from the State.

		Quantity.	Quantity.	Quantity.
Cotton raw	...	13 maunds.	21 maunds.	13 maunds.
Wool Raw including Pashm	...	480 ,,	975 ,,	1,061 ,,

756. MR. JAGAT RAM ARYAN : Will Government please state whether a zamindar can take away for his use the surplus timber belonging to the company from the nearby forest falling in another division especially when the surplus timber exceeds the requirements of the zamindars of adjoining villages and when it is used as fuel?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No. In a particular forest, particular villages only, as defined in the demarcation files can claim concession.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Short

Notice question by Pandit Ram Chandra Dobey :—

NOTE.—The Assistant Secretary read out the following short notice question :

The bill to amend the Stamp Regulation of 1977 was given notice of for the introduction in the session, the Hon'ble Prime Minister has intimated under Section 42 of Regulation I of 1991 that the matter cannot be decided hurriedly and that it will be decided after an inquiry regarding the effects of the amendment. Will Government please state whether the period of notice under Rule 49 (3), which has been extended from 15 days to 60 days, can still be considered too short? Will Government in view of British India Stamp Law consider the introduction of this amendment at an early date?

LALA HAVELI RAM (General Secretary on behalf of the Hon'ble Prime Minister) : The period of notice mentioned in Rule 49 applies to Private Bills but does not apply to Government Bills.

The matter is engaging the attention of Government and will be decided without undue delay as soon as statistics are collected as to the amount of loss the Government will suffer by the alteration of the law.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now go on with resolution No. 3 of yesterday. (To the Assistant Secretary) Read out please !

NOTE.—The Assistant Secretary read out Resolution No. 3 of Pandit Jia Lal Kilam, partly discussed the day before—6th April 1936—The resolution was :—

"This Praja Sabha recommends to the Council that a Commission consisting of official and non-official members be constituted to inquire and to report as to how and what improvements can be effected in the methods of agriculture in vogue in the State with special reference to irrigation".

PANDIT GOBIND RAM KABU : Sir, this resolution has been discussed in detail yesterday. I want to submit one or two points only.

I would firstly like to point out the importance of the extension of means of irrigation and the development of agriculture. The matter has been constantly pressed in the House from the very inauguration of the Praja Sabha. Many questions have been asked about it and many resolutions moved. Therefore I do not want to lay more emphasis on its importance. I only want to draw the attention of the Government to a few facts. When this matter was taken up in the first session of the Praja Sabha, it was pointed out

that petty amounts would not meet this need and a progressive scheme was highly essential. The reply given by the Government at that time was encouraging but when the matter was pressed again in the second session, the reply was quite different from the first one and it was stated that any mention of five years or ten years schemes was improper. These ideas were likened to those prevailing in Russia and were thought to have been imported from there. I fail to understand how this occurred to the Government and why such a reply was given. Different replies are being given by the Government about this scheme.

Sardar Kanhaya Singh invited the attention of the Government to an another scheme. It was about the Buniar Nullah which flows in a direction where it serves no irrigational purpose. If its course were directed from North to East, it could irrigate a vast area.

When the suggestion was made for the first time it was stated that an Engineer or an Assistant Engineer was deputed there and he reported that a huge sum was necessary for this work. Why did the Government not state whether the Engineers studied the conditions properly or not? It was thought sufficient to state that the Government would give further consideration to the matter. Later on it was stated that the project would necessitate heavy expenditure approximating seven lakhs of rupees, while it would not yield a proportionate benefit.

May I know, Sir, who were the officers who made the survey, attempted to ascertain the effect of changing the course of the nullah and find how much area would be irrigated by it.

Another point that I want to submit is about Kashmir. There is no scarcity of water in this province and it is far better than Jammu in this respect. But there are many plots of land in Kashmir which lack irrigational facilities, inspite of the abundance of water in the valley. The zamindars being ignorant have no knowledge of scientiflc means of irrigation. They cannot, therefore, turn the river water to any use. It is the duty of the Government to help them through co-operative societies or by itself taking some initiative in the matter.

The river water, if used by scientific methods will irrigate the whole area on either side. At present fields, adjoining the river banks do not yield good crops for want of water. The zamindar dejected and disappointed watches the river water flowing by.

There is plenty of water, but nothing for irrigation. It is very discouraging and amounts to "water, water, everywhere but not a drop to irrigate". Conditions in Kashmir are different from those in Jammu where irrigation apart, there is no water even to drink. It is highly essential to appoint a commission and I hope that the Government will give sympathetic consideration to this matter.

SARDAR HARI SINGH : I shall speak about the Jammu Province, where crops are ruined for want of irrigation. Water being scarce, crops depend mainly on rains. Crop failures impoverish the zamindars and ruin them. Rains are uncertain. The zamindars have, therefore, to face poverty and destitution after every four or five years. It is necessary to appoint a commission for this purpose. To safe-guard the interests of the zamindars it is very necessary to provide facilities for the irrigation of their whole area. Nature has provided us with brooks and streams in the mountainous areas. They can be used for purpose of irrigation. Tawi Manawar can be used for irrigation upto Dewabatala. Crops will then be certain and there will be an increase in the income of the people and the revenue of the State. The zamindars will find it easy to pay the revenue and the whole Illaqa will become prosperous within four or five years. Drinking water is brought from a distance of four or five miles and to water the cattle they have to be carried over the same distance. In the Kandi Illaqa of Dewabatala people have kept donkeys for carring water.

The produce, I submit Sir, is decreasing everyday.

The Government of India appointed commissions and have been trying for the development of agriculture for the last fifty years. New methods are being discovered. Scientific methods of production are explained to the agriculturists and no stone is left unturned in providing irrigational facilities to them. As against this we find that most of the zamindars of this State cannot afford to pay the land-revenue. If the present state of affairs continues, payment of land-revenue will become difficult. Therefore I support this resolution.

MR. JAGAT RAM ARYAN : Hon'ble President! It is not necessary for me to explain where irrigational facilities are necessary and where they are not. For this purpose various schemes have to be prepared which can be done by a commission the appointment of which is demanded at present. The only point, I want to submit is, that rainfall depends on good deal upon trees. It is a scientific principle. As deforestation is proceeding on a large scale, we are having less rain. As an example I will cite the

case of Kishtwar where owing to heavy deforestation there, has been no rain for the last four years, which has resulted in an acute famine. It is, therefore, necessary that to save us from the impending calamity the Government should pay attention to irrigation and start this work on a large scale. With these words I support this resolution.

SARDAR BUDH SINGH : Sir, I want to submit a few words before the House. Many resolutions recommending the appointment of commissions of official and non-official members have been moved in this Sabha. The public enquire about the work done by the Standing Committees. They ask whether these committees are actually doing any work or not and demand their abolition if they serve no purpose. (Cheers)

May I know what work has been done by the Standing Committees during the last year. No agenda was prepared. Meetings are held for one or two minutes. Well, what plans can be thought out during this time. I also was a member of the Standing Committee on agriculture but when I saw that nothing is being done I resigned. I found that the committee cannot discharge its duties for it is a mere farce.

I want to enquire from the Hon'ble Revenue Minister what work has been done by the Standing Committee on agriculture during the last year. It is only a way to suppress the public voice. How can a Standing Committee settle the affairs of the State in a few minutes. The Budget of the State, its industries and kindred matters are not so ordinary that they can be settled in a few minutes. The Government has, therefore, felt the necessity of demanding the appointment of a commission for agricultural development is highly essential. Without it the Government cannot realize the land-revenue. Prices are falling. Blood is running cold in the veins of the zamindars. It is the wisdom of my esteemed friend who had requested for the appointment of official and non-official commission. Agriculture sustains humanity—the rich and the poor alike.

The resolution need not be discussed at all. I hope the Government will accept it. The appointment of such a commission will do much good. I, therefore, support this resolution.

MIAN AHMED YAR (Muzaffarabad :Muslim) : Sir, I want to submit a few words before the House regarding the necessity of the proposed commission. The proposal placed by my friend before the Sabha is very sound. It is imperative to develop agriculture,

to extend the means of irrigation and hence to find out means for doing the same. It needs also to be ascertained as to what sort of implements should be used in different parts of the country in order to increase the produce. Three Nullahs flow in Muzaffarabad which can be used for purposes of irrigation. Artificial manure should be provided at places where development can be brought about by its use. It will increase the land-revenue, make the country prosperous and remove unemployment. Many pieces of land lying uncultivated at present, will be brought under cultivation. It is necessary to increase the productive capacity of land in the State as has been done in other countries with the help of agricultural science and other science. I, therefore, support the resolution.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Sir, the resolution moved by Pandit Jia Lal Kilam recommends that a Commission consisting of official and non-official members be constituted to enquire and to report as to how and what improvements can be effected in the methods of agriculture in vogue in the State with special reference to irrigation. So far as extension in the means of irrigation goes, whenever possibilities exist the Revenue and Public Works officers do their utmost to examine them and make their survey, any proposal that is practicable financially and from the engineering point of view is given a practical shape. The Public Works Department has fourteen irrigation projects under consideration at present six in Kashmir, four in Jammu, two in Kargil. The estimated expenditure over only one of these projects namely Dadhi Kuhl Anantnag is Rs. 3,89,600. It will irrigate the lands of a vast Illaqa.

Twenty thousand rupees have been provided in the current year's budget for the construction of Nandi Kuhl in Tehsil Kulgam which will irrigate the Satara and Sangam Illaqa.

Lal Kuhl, Martand canal, Ranbir canal, Partap canal, Basantpur canal, Uih canal and the Zainagir canal have also been constructed The Uih and the Partap canal provide water for drinking and irrigation in the Kandi Illaqa of Jasmergarh and Akhnur Tehsils. In short, all that is possible is being done to develop the means of irrigation.

I would like to submit for the information of the House that there exists a Standing Committee on agriculture, consisting of five non-official members of this Sabha. The Revenue Minister is its Chairman and it has power to coopt the Director of Agriculture and the Superintendent of Veterinary Department. The Standing Committee consisting, as it does, of official and non-official

members can submit proposals for the development of irrigation. Any member may send his proposals to this committee if he so desires. Mr. Mohammad Afzal Beg, Sardar Kanhaya Singh, Moulvi Mohammad Abdullah and Choudhari Abdulla are the members of the committee. The fifth member was Choudhari Chattar Singh who, I regret, has passed away recently. Agriculture was his special subject.

The Standing Committee has lately recommended the constitution of a Board of Agriculture, consisting of official and non-official members, to suggest means for the improvement of the condition of the zamindars. The recommendation is under consideration.

The Standing Committee and the proposed Board of Agriculture obviate the necessity of the commission proposed by Pandit Jia Lal Kilam. The Standing Committee is already there to do the work, desired to be done by the proposed commission. It is working properly and consists of official and non-official members.

The Standing Committee has already realized that :—

1. Improved seeds are introduced.

2. Modern agriculture implements are demonstrated.

3. Agricultural products are exhibited.

4. Experiments are made on model farms and practical training is imparted to the zamindars by demonstration.

5. Experiments are made to demonstrate the use of scientific manure.

Under these circumstances, I hope Pandit Jia Lal Kilam will withdraw his resolution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You want votes to be taken.

PANDIT JIA LAL KILAM : I want to make one submission to the Hon'ble Revenue Minister. Will that Board be authorised to make the report as I have stated.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Yes. The Board is established for this work.

PANDIT JIA LAL KILAM : And in the near future. I do not want the particular date but I want that this should be done in the near future.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Yes, yes.

PANDIT JIA LAL KILAM : In these circumstances and on the assurance of the Government I withdraw my resolution.

(The resolution is withdrawn with the permission of the Praja Sabha).

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The first resolution on today's list stands in the name of Kotwal Lakhmi Ram.

Resolution.—"This Praja Sabha recommends to the Council that the construction of the Bhadarwah-Kishtwar motor road be taken up at an early date, because there is a pressing need for this road".

KOTWAL LAKHMI RAM (Udhampur :Hindu) : While speaking in the House in the last session of the Sabha, I submitted that a cart road should be constructed in the mountainous Illaqa of Bhadarwah, Kishtwar, Ramban and Udhampur Tehsils. The proposal regarding the preparation of an estimate for the construction of the road was subsequently sanctioned. The estimate is being prepared. I have stated some reasons for the construction of the road in the last session. While reminding the Government of it through this resolution, I submit that the construction of the road be taken up and a sum of one lakh be provided every year till the road is completed. Besides providing facility to the public the road will yield to the Government an income amounting to many times the expenditure on it. The timber that is now rotting in the adjoining forests and lying there useless for want of means of transportation will be exported to the Punjab. When the road is constructed and is open to motor and lorry traffic, all timber and other useful products would be cheaply and easily transported to and sold in the Punjab and other provinces. Besides timber such as Deodar, Robindar, Walnut, Budlu, Hom, Kandlu, Wiri, Miru, Marali, and of other broad leaved trees ; the surplus Deodar, Robindar and Budlu rots at present for want of means of transportation. Mineral products like ruby, mica, copper, iron, zinc etc. are found in the State at present and are expected to be found in future also. Lack of a road is the greatest obstacle in their exportation.

Saphire, Kuth and Timber are exported in small quantities with great difficulty. If a road is constructed these commodities would be exported on a large scale.

There is also some difficulty in exporting the herbs that are found in the forests e. g. Kodtish, Malin, Charaita, Kahzaban, Mosli, Sapistan, Saped, Revind, Chini, Mohra, Dhup, Mala, Bunafsha, Guchhi, Balarut, Salab Misri, Kharot and Khamira. The export of the above articles will appreciably increase the revenue from royalty and customs duty and will provide a great facility in meeting the medicinal needs of the inhabitants. It will afford an effective means of checking unemployment by providing the people an opportunity to take to labour and trade. While placing the grievances of the people of this Illaqa before the House, I submit that the Illaqa has yielded crores of rupees from timber, Kuth, and sapphire to the Government during the last forty years. The other products, mentioned above, are also expected to yield lakhs of rupees in addition. If the Government spent one or two pies per rupee of the income derived from this unfortunate Illaqa on its poor inhabitants it would afford them a great relief and add lakhs of rupees to the revenues of the Government.

In reply to Q. D. No. 650 asked on 6th April 1936, I was informed that there was no reason why this matter should be given special preference. The question was that as the people of the mountainous Illaqa who import medicines (prescribed by the doctor but not available in the hospital) by postal parcel from the Punjab are charged customs duty equivalent to the actual cost of the medicine is Government prepared to remit the duty?

It is the duty of the Government to keep sufficient quantities of medicines in stock for the poor patients. But as medicines are not available in hospitals, the poor subjects consult docters and import medicines from outside. It is regretable that on these medicines which have to be imported because they are not available in hospital, Government charges 50 per cent. customs duty. Is it just? Does it afford any help to the poor?

The people have been clamouring for the last ten or twelve years. His Highness the Maharaja Bahadur and some of the Hon'ble Ministers have also felt this need and made promises but the work has not been started as yet.

The poor subjects are clamouring against contagious diseases and poverty. Owing to the absence of efficient medical help during

illness, they are dying like beasts. Barring a Sub-Assistant Surgeon there is neither any Assistant Surgeon nor any lady doctor in the Illaqa. Patients are left at the mercy of the nature. I therefore request the Government earnestly to provide a lakh of rupees for the road every year till it is completed, so that unemployment may be removed and the patients may have an opportunity to get medical help from outside. I hope that the Hon'ble President and the members of the Sabha agree with me and support the resolution strongly.

I have been told that the Government invests their surplus revenues in banks in short-term deposits at three per cent. interest. Is it not better to spend this amount on the construction of this road? I assure the Government that this will yield them a profit of at least six or seven per cent. I have a fervent hope that the Hon'ble Finance Minister will consider this useful proposal and give effect to it. In some Illaqas the Government incurs expenditure on the construction of roads for military purposes. Would it not be very good to construct this road for the facility of the public and with a view to derive the maximum profit from the surplus.

At present our poverty is due to our isolation owing to the lack of means of transportation. I want to submit a few words more. On visiting this Illaqa the Hon'ble Mr. V. N. Mehta was pleased to call it the Switzerland of India. In doing this he only repeated what had already been said by Messrs Talbot, Stow and Eliot. Even at present when there is no road, thousands of visitors stay here. If a road is constructed and facilities provided for transportation, the number of visitors will increase still more. It will add to the grandeur of the Illaqa and the prosperity of the people.

Mr. Jagat Ram Aryan (Udhampur Wazarat :Hindu) : Sir, I have stood up to support the resolution. Some days ago I submitted that in the mountainous Illaqas such as those lying to the north of Batote people live on barks of trees. They boil "Kasror" and eat it. It is the foremost duty of the Government to remove the unemployment of these people. Sir, among the various factories opened by civilized Governments, the biggest is the tourists factory.

Major General Rao Bahadur Thakur Janak Singh Ji : What factory?

Mr. Jagat Ram Aryan : Tourist factory.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) : You are talking of a strange factory.

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MR. JAGAT RAM ARYAN : By "Tourists Industries" I mean that the Government provides facilities in order to attract tourists. In other States roads are constructed and facilities provided for the visitors.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : So you are talking about visitors.

MR. JAGAT RAM ARYAN : If roads are constructed, visitors will come from outside and spend money here. This will at least afford a living to the people of the mountainous Illaqas. If Batote-Kishtwar road is constructed the backbone of the State will get nourishment.

The Forest Department reports that walnut wood as well as other species of wood of this Illaqa which are as costly, cannot be sold here. I, therefore, submit, Sir, that so long as the road is not constructed, wood cannot be exported and no benefit can accrue to the Forest Department.

Secondly, I want to submit that if a road is constructed, it will provide sufficient employment to the coolies for some time. This will remove unemployment to a great extent.

With these words I support the resolution and request that it may be accepted.

WAZIR TEJ RAM (State Councillor) : Sir, it is stated in every session of the Praja Sabha that the construction of the Bhadarwah-Kishtwar road is very essential. I would like to submit when and how this question arose. Ten or twelve years ago that His Highness was pleased to visit Bhadarwah which was a Jagir then and was not amalgamated with the State. His Highness granted many concessions to the people of the Illaqa at that time. They requested that a motor road may kindly be constructed from Bhadarwah to Batote as such a road was highly essential for the prosperity and advance of the country. On his visit to Bhadarwah His Highness was accompanied by Mr. Wakefield. There is a distance of about forty-two miles from Batote to Bhadarwah of which about twenty or twenty-two miles were included in the Jagir and the rest in the State. His Highness promised that he would issue orders that an estimate be prepared for the construction of the 20 or 22 miles of the road passing through the Jagir and would then try to get it constructed. As for the remaining part of the road, he would move the State to construct it. Later on when the question of amalgamat-

ing the Jagir with the State was taken up, the scheme was dropped. Mr. Wakefield was requested several times. He said that as the appointment of the Sanitary Engineer and the establishment of the Sanitation Department had cost much, the construction of the road could not be taken in hand. I approached the Hon'ble Home Minister also. He said that the financial condition of the State was not sound and the road would be constructed only when it improves.

No doubt it is necessary to construct other roads also ; but this I submit, Sir, is the most important road. Bhadarwah is Kashmir in miniature. It is visited by many visitors, who desire that a road should be constructed there because they have to travel on mules at present. My home is at Bhadarwah. I went there last year after a period of twelve years. If a road were constructed, I would go there many times and would take you along with me. I think a road should be constructed at least from Bhadarwah to Bagar.

Lala Haveli Ram (General Secretary) : Wazir Sahib, I would advise you to take there every one of the members who will vote for the resolution.

Pandit Ram Chandra Dobey : I am very glad to see that Wazir Sahib is prepared for the construction of the road. My suggestion is that as the financial difficulty is over to some extent, the road can be constructed if Government allot the income derived from Sapphire for this purpose and Wazir Sahib also foregoes the profit earned by him (No).

Sufficient money will then be available for this work and this bridle road can be converted into a motor road. The Basohli road which is also necessary will as well be constructed.

Wazir Tej Ram : If such complicacies are created, the road cannot be constructed.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) : You have a house there also.

Pandit Ram Chandra Dobey : As Sapphire has yielded so much profit, I hope if the Government and Wazir Sahib join hands and consider this question, it is just possible that the road will be constructed.

Sardar Budh Singh : Sir, two years ago, I went on a tour

to Bhadarwah. On seeing the land there, I told the zamindars that it was as fertile as that of Kashmir and at places it possessed more fruit-producing capacity than even the land in Kashmir. I asked them why they did not develop fruit production and grow good fruits. They replied "what shall we do with the fruit? Shall we grow them for the Government servants or for export to markets? I had forgotten at that time that fruits could not be exported from Bhadarwah for the people could not carry them on their head.

I submit, Sir, that the apples of this Illaqa are better than those of Kashmir. Perhaps such apples cannot be found anywhere. The people say that if they export fruits, they shall have to carry them on their head upto Batote, that is, over a distance of forty-two miles. Some of the fruit will then rot away on the road and the expenses shall have to be incurred for nothing. It is thus impossible for them to benefit by fruit production.

I submit, Sir, that commodities like Sapphire can be carried even in the pocket, other necessary commodities can similarly be carried on mules, but the fruits have to rot away for want of speedy means of transportation. If a road is constructed, fruit trade will develop and the economic condition of the people will improve appreciably. After a road is constructed, the people will set up nurseries. Timber and other kindered commodities can be carried to Batote. At present timber cannot reach Batote through the river. Batote is a big market. Goods reach here both from Kashmir and the Punjab. Goods bound for Bhadarwah deteriorate in Batote for days together, because no means of transportation are available.

Kishtwar and Bhadarwah are precious parts of the State. When His Highness paid a visit to Bhadarwah (the visit of which Wazir Sahib has already made mention) I was there. I remember well that His Highness proposed the construction of a Palace on the Kishtwar play-ground. It was the misfortune of the people that His Highness did not go there even once. Had he gone there a road would certainly have been constructed and all the difficulties of the public removed. On visiting the Kishtwar play-ground we find that Polo used to be played there even before because the pillars are still there.

WAZIR TEJ RAM : A decent aerodrome can be built there.

SARDAR BUDH SINGH : The Government should give due consideration to the importance of this Illaqa because it contains many lovely places. All sorts of facilities can be provided for the visitors

for hunting and sight-seeing. Even now several visitors try to go there on horses and mules. But when they fall down from the mules in the way, they instead of visiting the place again prevent others also from going there by telling them that the road is very unsafe. If a motor road is constructed, thousands of visitors will go there every year and the people will prosper.

The mover of the resolution has made an humble demand for one lakh of rupees for the present. The work can be finished slowly. This amount should be provided at present so that the work may be started.

Another point I want to submit is that when the people of Bhadarwah told me that they are very much inconvenienced for want of a road, I asked them to submit an application. They said that roads are constructed in places where people start agitation and as no disturbance is caused by the people here they are loyal subjects of His Highness, no road is being constructed for them. How sad it is, that roads are constructed in places where there are no sources of income, but where disturbances are apprehended. As against the places where income can be expected, are ignored.

The stability of the Government and the progress of the State depend upon roads. This road should therefore be constructed. If an agitation breaks out in Mirpur and Kotli, Military can reach there in three or four days but if there arises an occasion for sending troops to Bhadarwah it will take them many days to reach there. The road is essential from this point of view also. I submit, Sir, that the construction of this road is essential for the welfare of the zamindars, for running the administration of the State, marketing the products which will bring in lakhs of rupees and for starting new works.

I have no doubt that the Hon'ble Home Minister while replying to the debate on this resolution will state that the matter is already under consideration. He will read out his programme to the House and will also state that such and such roads being more important have to be constructed first. But I submit, Sir, that the Bhadarwah road is very important and should therefore be constructed at an early date. The work should be entrusted to some company on contract. (Cheers)

LALA SHIV NATH NANDA : Wazir Sahib should not be displeased.

PANDIT LOK NATH SHARMA : Perhaps you have some business with him.

LALA SHIV NATH NANDA : It is nothing new. Our relations continue from two generations.

Sir, whatever has been said by my learned friend, Sardar Budh Singh about this resolution is quite correct. It is only two or three days back that the Wazir Sahib got the Sapphire contract.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It will be distributed in the Praja Sabha.

LALA SHIV NATH NANDA : A road is not necessary for carrying about sapphire or herbs but to provide facilities for the visitors. My learned friend Sardar Sahib said that preference is being given to the construction of spacious roads in Srinagar but no heed is paid to the poor subjects. Sometimes he states that big roads should be constructed. I have myself been to Kishtwar. We had to cross a stream on the way. I was a boy then and was accompanied by my uncle who was a Police officer. It was very difficult to cross the stream and we had to wait for half day. A sane old man was with us. He told us that the stream is crossed by keeping some sticks across it. We collected some sticks, constructed a temporary bridge and crossed the stream. Being a small boy, I was very much frightened. Proceeding onwards we found a swing. I was blind-folded and taken across but was much terrified. We had a horse with us. We tied its legs, passed a stick through them and then carried it across.

SARDAR BUDH SINGH : You must have lost your heart.

LALA SHIV NATH NANDA : Sir, life is very dear. Roads are no doubt very essential. Mr. Dobey said that the Samba road is very much needed. In Kashmir the Bandipura and Sumbal roads are said to be very necessary. In all the sessions of the Praja Sabha I have been hearing that such and such road is very essential. Whenever the members make a request to the Government, they should see which road is more important. The Wazir Sahib stated just now that he could not go home conveniently and needed a motor road badly. (Laughter)

In the next session of the Praia Sabha there will be a resolution for the appointment of a commission for roads. If ten commissions are appointed forty members of the Sabha will become members and will get allowance.

MIAN AHMED YAR : He is running us down. We are not saying for the sake of allowance but for the benefit of the country.

LALA SHIV NATH NANDA : No, No. There is no question of defamation. I am talking of myself. The first resolution for the appointment of a commission was submitted by me. The members may just calculate. If ten or twelve commissions are appointed, the Sabhasads will doubtless be selected as members. How can the Government afford to spend so much money.

SARDAR BUDH SINGH : Are you talking on behalf of the Government or on your behalf.

LALA SHIV NATH NANDA : I am talking of the difficulties in the way of constructing the road.

SARDAR BUDH SINGH : You have nothing to do with the difficulties.

LALA SHIV NATH NANDA : I pay taxes, fill the treasury and thereby run the machinery of the Government.

LALA SHIV NATH NANDA : Sardar Sahib stands up again and again. There seems to be something behind the screen. He is a Mahatama and should be calm.

COLONEL ABDUR REHMAN : You remember "nine" of "Channun".

LALA SHIV NATH NANDA : They say I am wasting time. Well I am expressing my views about the road before the House. There are still five minutes. I say that a road can be constructed. If the members will listen to me, I will finish my speech in five minutes.

MR. M. A. BEG : Let us close now. It would be better if we meet at five minutes.

LALA SHIV NATH NANDA : So long as the members go on talking I shall not speak. Construction of roads in necessary. Visitors come to Kashmir and should be provided with facilities. There should be spacious roads for them. Roads are necessary from the point of view of trade also. I have no objection if the Government provides one lakh of rupees. (Laughter)

I submit. Sir, that my learned friend Wazir Sahib said that a scheme for the construction of roads was prepared in the reign of His late Highness the Maharaja Bahadur. I would request him

to place the scheme, if there is any, before the House ; so that every one may be satisfied. With these words I support the resolution.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Sir, I feel it necessary to make a brief statement, because I find that this important resolution has been ridiculed by impolitic support. Any matter, however, important, loses its significance when it is ridiculed. The resolution has been supported by Wazir Tej Ram. Having taken the contract of Sapphire mine at Padar he has evoked some fuss and I am afraid lest this important resolution should be laughed away. The learned mover has among other things stated that the Bhadarwah and Kishtwar Illaqas have yielded an income of crores of rupees to the Government during the last forty years and a motor road should therefore be constructed for the facility of the inhabitants of the Illaqa. This is true to a great extent but not in toto. If a road is to be constructed in Kathua, we shall have to show how much income is derived by the Government from that Illaqa. Therefore this plea need not be pressed. Administration of the State demands the doing of various things on various grounds. The body politic is like the physical body. When we move our feet, blood circulates in the whole body but we wear shoes on our feet and none of us has ever thought of putting them on his head. Roads are necessary somewhere from political point of view, elsewhere from commercial point of view and at some other places for some other reasons. As has been stated by my learned friend Sardar Budh Singh, Sapphire and Fungi deserve no great consideration, as these can be carried in pockets and on ponies. He has, of course, made mention of a fact which I also want to elucidate. He has said that fruit gardens can be laid in Illaqa and the revenue of the State will thereby increase appreciably. It is true that much importance cannot be attached to this fact at present, when the San Jose scheme is in force. I shall, in fact, reiterate one of the points pressed by him, namely that this Illaqa can be made a sanitorium for visitors. When Mr. Jagat Ram Aryan spoke of the visitors manufactory, I thought he perhaps desired the installation of a machine in Batote which would turn the faces of the visitors towards Bhadarwah Illaqa. The fact is that we are at present feeling the necessity of a sanitorium to supplement Kashmir. Visitors cannot stay long in Kashmir and have to return in October, when it is cold. If we find a place in the other province of the State, where visitors can go, when they cannot stay in Kashmir, I mean when it is cold as in the months of October, March or April, the revenue of the State will increase.

It remains to be seen whether Bhadarwah and Kishtwar can serve this purpose. Various things have to be considered in select-

ing a sanitorium. Prominent among others are the availability of cold water, temperate climate, height from the sea-level and natural scenery. All these amenities are found abundantly in Bhadarwah and Kishtwar as is well known to the people who have visited this Illaqa. But these alone do not go to make a sanitorium. Three things more are necessary—namely Romance of history, Romance of life and Romance of custom. People love these things and so long as these are not available construction of good roads and other efforts will not succeed in making a sanitorium. We have next to see whether Kishtwar and Bhadarwah have these amenities. Let the time of the conquest of Western Tibet, troops from Jammu passed by this way. People assembled there. The places where the soldiers encamped are still traceable. The difficulties that the soldiers had to face may be taken as Romance of History. A second fact in this category is the history of the Rajas of the Illaqa. Those who have studied that history are aware of their achievements and know what comprised their Romance of life. Romance of custom is also necessary. We have to see what are the customs of the place—Are they such as would disgust the visitors. As for this I would like to cite an instance. When I took over as Tehsildar from Rai Sahib Bishan Dass, he told me that I would have every comfort but one inconvenience as well. On enquiry I was told that the people go to Devi's temple on a certain day. A tray is placed on the head of the Tehsildar and he is followed by the people who go on beating the drum. I said "well this does not matter much. It is the Romance of life of this Tehsil". It so happened that I was transferred soon after and was succeeded by Sardar Budh Singh. Perhaps the tray was placed on his head.

SARDAR BUDH SINGH : No, Sir, it was not placed on my head.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Such Romantic customs are found there. I shall now give an instance of Romance of life. As a Committing Magistrate I had to record evidence in a murder case. I asked the witness "What was the time when the murder was committed"? He replied that the sun was two cubits high. I asked him to give me the correct time and he said "Well it might have been at most three cubits high". A Magistrate has to record whatever is said by the witness. I had therefore to form a committee which sat with a watch on the following day to see what hour it was when the sun was two cubits high. Such Romance shall have magnetic effect in attracting visitors to Kishtwar and Bhadarwah. If a road is constructed many visitors who cannot stay in Kashmir in October because of cold can come over here. Many of the visitors from among the officials will go there. It is always stated on behalf of the Government that all

this is admissible, but there are no funds available. Lack of funds should not stand in the way. A metalled road is not necessary. All that is wanted is the construction of a Kacha road after proper alignment. In many parts of Bhadarwah we have pacca land and the roads need not be metalled. There is no harm if the road is metalled where it is necessary to do so. The road that leads to Kuler is unmetalled yet it is fit for motor traffic. The Public Works Department should give up the idea of constructing a pacca road. A Kacha road may be constructed. Lorries can run on it.

I have forgotten a fact from the Romance of history. When I went there for the first time, I found a parade which has no parallel in Srinagar or Gulmarg. On either side of it there are goal posts. This shows that polo was played there even before and was, in fact started there. When I was Public Works Minister, Mr. Bhagat Ram was posted in Ramban. I told him verbally that as there are no funds, some money may be provided by reappropriation from other heads and a survey made. I hope much of the work must have been completed by now. I submit, Sir, that if five or ten thousand rupees are provided a regular road can be constructed. The Government has perhaps no objection to it. (Cheers)

THE HON'BLE MR. WAJAHAT HUSSAIN : Sir, I believe the House must have been impressed by the mention of the amenities available in Bhadarwah and Kishtwar. Kotwal Lakhmi Ram moved a resolution regarding the construction of the Bhadarwah road last year. The Government promised sympathetic consideration. To fulfil this promise, funds were provided last year in the budget for the survey of the road. The survey is being made. Funds shall be demanded from the Government for the construction of the road next year and it is hoped that provision will be made in the budget for this purpose. The Government not only sympathise with the resolution but are also going to do something practical. They will try to construct the road. As has been stated by General Janak Singh Ji, it is not necessary to construct a pacca road immediately, because it is not necessary for hilly roads to be metalled. A fair weather road constructed after proper alignment will serve the purpose. The Public Works Minister will take up this work next year and the road will be constructed within a year or two. The fact is that the State has prepared a scheme for the construction of roads and in this the Bhadarwah-Kishtwar road occupies a prominent place The Akhnur-Bhimber road occupies the first place and the Bhadarwah-Kishtwar road the second. I assure Kotwal Lakhmi Ram that the Government has no objection in accepting this resolution and the resolution is accepted.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Those who are in favour of the resolution will raise their hands and the resolution was passed. Mr. Sadiq will move the second resolution now.

Resolution.—"This Praja Sabha recommends to the Council that it do consider the expansion of medical relief recommended and mentioned by the Government in their report".

MR GHULAM MOHAMMAD SADIQ : In view of the fact that Sheikh Mohammad Amin's resolution is more important than mine, I withdraw it.

NOTE.—The resolution withdrawn with the permission of the House.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Sheikh Mohammad Amin will please move his resolution.

Resolution.—"This Praja Sabha recommends to the Council that the present practice of location of offices at one head-quarters only be discontinued and all offices that used to move with the Durbar from Jammu to Srinagar and *vice versa* be allowed to move again as before".

SHEIKH MOHAMMAD AMIN : Sir, a similar resolution was moved by Pandit Amar Nath Kak last year in the Jammu session of the Praja Sabha. It recommends that those offices only which are located at Jammu should be allowed to move to Srinagar with the Durbar as before. In the present resolution, I have requested that all those officers, whether located at Srinagar or Jammu, which used to move with the Durbar should be allowed to move again as before.

While replying the debate on Mr. Kak's resolution, the Hon'ble Prime Minister said that the present practice has been introduced on grounds of economy. The point to be considered is whether this practice is convenient or inconvenient. It is a well-known fact that the practice now in vogue, causes dislocation of work in the offices and inconvenience to the public.

The next point is that if the head-quarters of an officer are located at Srinagar, the head of the department goes to Jammu with one or two clerks in winter and so does the head of a department which has its office at Jammu, goes to Srinagar with one or two clerks in summer. The rest of the office is left behind. This resolution has been necessitated by the inconvenience caused by the

present arrangement. If a case is put up at Srinagar in winter papers are sent to Jammu whence they are again sent to the head office at Srinagar where a note is drafted and the papers again sent to Jammu to obtain orders on the note. The head of the department, staying at Jammu, passes orders on the note and the papers are again sent to Srinagar for despatch etc. Sir, the House can imagine how much time is taken in the disposal of a case. Similarly if a case is put up at Jammu in summer when the head of the department is at Srinagar, the papers are sent from Jammu to Srinagar, Srinagar to Jammu and again from Jammu to Srinagar. The disposal of a case takes two or three months. Official business is also delayed a good deal. A case which could be disposed of in ten days, if the office had its head-quarters in both the provinces, takes months now. Some of the officers leave behind them one or two clerks with no particular work.

Let us take the office of the Chief Inspectress of Schools ; there are only two clerks in this office. When the Chief Inspectress goes to Srinagar, only one clerk is left at Jammu. The members can themselves imagine, Sir, what work this one clerk can do.

Similar is the case with the Muslim Inspector of Schools for whom it is necessary to visit both the provinces. What can be done by the one clerk whom he leaves at Jammu. The present practice thus causes much delay in the despatch of business.

The head-quarters of some offices are permanently located at Srinagar, for instance the office of the Inspector General Customs and Excise. This office has much concern with the traders, and when they go to the office at Jammu for refund of bills etc. it is stated that the head office is at Srinagar from where a report will be called for. Much time is thus spent on correspondence. Cases are delayed and the traders have to sustain a loss.

Let us now take the office of the Director of Land Records, which has its head-quarters at Jammu, but all the old record is lying at Srinagar. If a zamindar falls in need of a copy of some official record, his application is sent to Srinagar. This office has no clerk at Srinagar. Some clerk from the Governor's office go to the office of the Director of Land Records, searches the file and finds it with great difficulty and after much delay. The poor people have thus to wait for months for a copy.

Similarly a fire-engine was needed at Gulmarg for which provision was made in the Budget. The head-quarters of the Electrical Department being at Srinagar and the Camp office at Jammu,

papers were sent from Srinagar to Jammu to inquire what sort of engine was to be purchased. It was replied that as the head-quarters were at Srinagar and the record was also there, the matter would therefore be decided when the camp moved to Srinagar. The engine had to be imported from England. Two months passed in this way and the camp office also took three months in reaching Srinagar. Thus the season ended but the engine could not be imported. Privision of funds in the Budget availed little.

The present arrangement gives rise to many such difficulties in the offices.

About nine years ago when orders were passed regarding the location of the head-quarters of heads of departments at Jammu, and it was ordered that camp offices alone should move with the Secretariat and the rest at Jammu.

This scheme proved inconvenient and uneconomical. It was there decided that the Secretariat offices and some offices of the heads of departments should with full establishment move with the Durbar and remain for six months in Srinagar and for six months at Jammu. It was again decided that the head-quarters should be fixed at one place and the prevailing practice discontinued.

The head-quarters of some offices were accordingly fixed at Jammu and of others at Srinagar. Later on when the establishment was retrenched His Highness thought that the staff had been reduced, if offices did not move with full establishment from Srinagar to Jammu and *vice versa* and if work were done partly at Srinagar and partly at Jammu it might cause great dislocation.

In view of this His Highness issued order No. 2 on 13th January 1930. I read the order for the information of the House.

Order No.2.—In view of the fact that the establishments of the various offices have now been reduced with regard to administrative efficiency and in view of the fact that dislocation of work and delay in disposal will be inevitable if an office has now to work with small establishments at two places instead of one, His Highness the Maharaja Bahadur has been pleased to command that with effect from the next move to Srinagar, departments will move with their full establishments and will leave behind at Jammu only such establishment as will be necessary to look after the records which will not be taken to Srinagar. The scale of establishment to be left at Jammu for records

work will be determined as follows :—

SHEIKH MOHAMMED AMIN : Then the scale is given.

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVIN : What is the date of the order please?

SHEIKH MOHAMMED AMIN : Order dated January 1930. I would also submit, Sir, that when Pandit Amar Nath Kak moved his resolution last time, the Hon'ble Prime Minister stated that the present arrangement has been made after mature consideration. The practice recommended to be introduced in this resolution, will do no good.

In this connection I would like, Sir, to invite the attention of the House to certain facts. The head-quarters of Superintendent Veterinary Department were at first fixed at Jammu, because the Superintendent was a resident of that place.

When he retired on pension, the head-quarters were transferred to Srinagar. Well, if the head-quarters of this office were fixed at Jammu according to some set principles, there was no particular necessity of transferring them afterwards. The head-quarters were fixed at Jammu simply because the officer happened to be a resident of that place and had convenience in staying there.

As far the question of economy, I shall illustrate by facts and figures the benefit that has accrued under the present arrangement and the loss that is incurred thereby. I shall take the departments one by one and hope that the House will listen to me.

I shall first take the Public Works Department. If the Chief Engineer moves to Srinagar with full establishment the expenditure would be Rs. 3,400. I would like to place before the House the facts and figures of the expenditure incurred in 1991-92 under the prevailing arrangement.

Expenditure in 1991-92 when stationed at one place :

		Rs.
1.	T. A. ...	900
2.	Camp office carriage of records ...	100
3.	Postage charges for sending Dak to camp office	1,000
4.	Extra postal charges paid for sending Dak to moving offices and to A. G. etc. which would	

	not have been kept moving ...	300
5.	Telegram charges of telegrams issue whereof was necessitated owing to location of head-quarters at one place and move of Chief Engineer in Camp ...	300
6.	Other charges for water-bearer etc. ...	100
7.	Electric charges on account of location of office at one place not incurred in past when office moved ...	800
	Total ...	3,500

If the office moved with full establishment with the Durbar the expenditure, as has already been stated, would amount to Rs. 3,400.

Let us take the office of the Director of Education now. I shall place before the House two years' figures for this office. The details of the expenditure incurred in 1990-91 due to the location of this office at Jammu are as follows :—

		1990-91.	1991-92.
		Rs.	Rs.
1.	T. A. ...	992	1,650
2.	Post and Telegraph Changes ...	300	700
3.	Cost of electric fans, taking its average for three years it comes to ...	187	187
4.	Electric current charges ...	100	100
5.	Sweeper, water-bearer etc. ...	25	25
	Total ...	1,604	2,662

If the office moved with full establishment the expenditure would be Rs. 1,400.

Let us now take the third office, namely that of the Director

of Land Records. The figures are as follow :—

		1990-91	1991-92.
		Rs.	Rs.
1. T. A.	...	2,300	2,200
2. Carriage of records	...	300	200
3. Postage	...	600	400
4. Telegrams	...	30	135
5. Water-bearer	...	48	48
6. Fans (rental)	...	43	43
Total	...	3,321	3,026

The expenditure on the full move of this office would be Rs. 1,700.

I shall now take the office of the Director of Industries. The figures for this office are

		Rs.
T. A.	...	1,525
Postage	...	550
Carriage of records	...	200
Fare charges	...	300
Total	...	2,575

As against this amount the expenditure on full move would be Rs. 2,130 The House must have realized that the fixation of the head-quarters at one capital only involves more expenditure.

The Postal Department has lately issued an order whereby letters, that used to be despatched under parcel, cannot be despatched so now. This rule will necessitate greater expenditure on Dak despatched from head-quarters to the camp offices.

I would now like to submit that the Hon'ble Prime Minister cited the instance of Simla in the last session of Praja Sabha in

support of the fixation of head-quarters at one capital only and stated that all the officials do not move to Simla. As for this I submit that Simla is only a sanitorium and people go there just to pass time. Jammu and Srinagar stand in a different position. They are business centres. It is therefore highly essential that Durbar should move to Srinagar in summer and to Jammu in winter and let these places should be treated differently from Simla. This practice has been in vogue for a long time because Jammu and Srinagar besides being the capitals of the State are centres of business also. There is no individual who does not go from Srinagar to Jammu in winter and from Jammu to Srinagar in summer. Formerly when offices used to move, the clerks also moved from one capital to another once in a year. There used to be no dislocation of work. Even at present officers whose head-quarters have been fixed at one capital only move five or six times from Jammu to Srinagar in summer and from Srinagar to Jammu in winter. Formerly when offices used to move with full establishments the clerks used to move only once a year. It was said that the fixation of head-quarters at one capital only will increase the outturn of work and result in economy in the travelling allowances. In Kashmir I have seen with my own eyes that when the Durbar moves to Jammu officers go to offices at eleven or twelve o'clock and do not work there. All the officials cluster round a stove and warm themselves. There is thus nothing but enjoyment.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : They take a "samawar" with them.

SHEIKH MOHAMMAD AMIN : Kashmiris are also put to much inconvenience in summer in the Jammu Province. They are only taking water. They work with clothes off and sometimes put on under-wears only. Thus they cannot work properly, but keep on scheming to find out a way to go to Kashmir and get travelling allowance also. If they find out no way, they proceed on leave. They are very inconvenient for six months.

It was in view of these facts that the practice of full office move was introduced. To remove the present dissatisfaction and dislocation of work it is highly essential to allow the offices to move with their full establishment, so that work may not suffer and there may be some economy. The officers pass an easy-going life and the poor clerks who work hard are left unheeded.

I shall close my speech with an example. I have been reminded of a verse which I shall repeat here. The poor clerks being the workers have to suffer much.

مکتب عشق کا دیکھا یہ نرالا دستور اس کو چھٹی نہ ملی جسکو سبق یاد ہوا

A unique practice prevails in the school of love. Those who learn the lesson are not granted leave.

PANDIT JIA LAL KILAM : Sir, the facts and figures given by my friend Sheikh Mohammad Amin need no repitition. I shall only submit a few words and close my speech.

We are loyal to His Highness the Maharaja Bahadur. It is an old practice that people go from Jammu to Kashmir and *vice versa*. In view of this practice, the official procedure was also the same and offices used to move to Kashmir in summer and from there to Jammu in winter. It is highly essential to maintain this old practice.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Clerks or the people?

PANDIT JIA LAL KILAM : Clerks. Clerks are also people.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : They should not be counted among the people in general, but among the decent people.

PANDIT JIA LAL KILAM : I Think you, Sir, and the general.

PANDIT JIA LAL KILAM : This practice has continued from the time of late His Highness Maharaja Partapsingh Ji and united the people of both the provinces with a bond of love. I therefore support this resolution of my learned friend Sheikh Mohammed Amin.

PANDIT AMAR NATH KAK : With your permission, Sir, I would like to add a few words to what has already been said. In the last session of the Praja Sabha, when the attention of the Government was directed to facts and figures, it was stated that if offices moved from one capital to another, it would involve heavy expenditure on travelling allowance. By the amended T. A. Rules Durbar move travelling allowances have been reduced by fifty per cent. now and the new rates are much less than the old ones.

In view of facts and figures and in the interests of proper despatch of work, it is highly advantageous that offices should move with full establishment.

I submit, Sir, that some of the members opposed a similar resolution last year, because that involved differential treatment. It

was that if the resolution recommended that offices located at Jammu should move to Srinagar in summer and so should offices located in winter, it would have been quite reasonable. I requested the Hon'ble Prime Minister for permission to amend the resolution but a constitutional objection was raised to this and the resolution was lost, because of being opposed in unequivocal terms. There is no reason for opposition now. In the interest of economy and to avoid dislocation of work, it is highly essential that offices should move with full establishment. This practice was adopted after sufficient experience. Full office move was discontinued formerly. As this was found impracticable, the old practice was revived.

SARDAR KANHAYA SINGH : Sir, I think that this resolution is very reasonable, because if this practice is adopted, work can be conducted properly and there will be economy in expenditure also. It is essential to let the offices move as before.

Lorry owners will be benefited by the money that will be spent on traffic. This resolution is therefore very reasonable. Money will not go out of the State. With these words I support this resolution.

PANDIT LOK NATH SHARMA : The drivers are Sikhs.

SARDAR BUDH SINGH : Sir, while supporting this resolution I would like to explain only two of its aspects. It is stated with pride that the territory of His Highness includes Jammu and Kashmir, Tibet and extends to the boundary of China. It is also a matter for pride for the people of Kashmir that they are ruled by His Highness the Maharaja Bahadur and are his children. There is therefore no reason that the Secretaries and Ministers should move from Jammu to Kashmir for change of climate and the rest of the officials who are His Highness' children should suffer because of cold in Kashmir and heat in Jammu. What a misery?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : But that will apply to a very small proportion.

SARDAR BUDH SINGH : My submission is that late His Highness the Maharaja Bahadur maintained that there was no provincial Government in the State, but the whole State formed a unit with only a difference of climate in the two provinces. This difference is so marked that it becomes a question of life and death. I submit, Sir, that a poor Kashmiri clerk who has to stay in Jammu in summer cannot bear the heat. His tongue is parched and he weeps. He spends his whole salary on ice. Similarly the circulation of blood

of these clerks, who are left in Srinagar, stops because of cold. They cannot work and are left in a pitiable condition. Clerks are parts of the Government machinery. They say that Kashmir is their country and they are the subjects of His Highness the Maharaja Bahadur. The Secretaries and other big officials visit Gulmarg but these poor souls are lying restless in the heat and have to spend their salary on ice. Similar is the case with those who are left in Kashmir. They have to burn coals and spend their salary on them. May I submit, Sir, how they can be loyal to the Government when they are so much oppressed. Their salaries are already low and by living in provinces to which they are not acclimatized, their condition becomes still worse. This resolution is therefore very important and its acceptance will facilitate the maintenance of cordial relations between the provinces and ensure the proper despatch of office work. It will involve no expenditure. The Government should accept it generously and thus gain the blessings of all.

COLONEL ABDUR REHMAN KHAN : I strongly support this resolution.

PANDIT RAM CHANDRA DOBEY : This resolution will benefit the Government as well as the public. The House is entirely in favour of it. The old practice should therefore be revived. I support the resolution.

LALA SHIV NATH NANDA : Sir, I want to submit a few points only. I supported this resolution where it was moved last year and now support it again. The members of Liberal Group are not so conversant with Kashmir Province as I am. Last year I stated that clerks are the keys of Government machinery and the machinery cannot work without the keys but the Hon'ble Prime Minister stated that the Government has a bunch of keys.

NOTE.—The Hon'ble Primer Minister showed his bunch of keys and there was laughter.

He in a way supported my contention. A bunch can be called a bunch only when there are keys in it. This shows that the Hon'ble leader of the House also desires that the keys should be with the machinery. Therefore I support this resolution. Orders should be passed as soon as possible that the offices should move as before. I would like such an order to be passed tomorrow.

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVIN : Mr. President, I do not think that I need detain the House very long. I explained in the last session when the same subject was

brought up the reasons on which the Government had opposed the alteration of the existing practice. I may briefly repeat that the change was made on the recommendations of the Retrenchment Committee and was made very largely in the interest of economy. That view I still maintain. The mover of this resolution, my friend Sheikh Mohammad Amin, has given certain details of some offices in which he maintains that the present system is less economical than that in vogue before. It is difficult to say whether actual figures will also give the same result. The position would need careful examination for every office in the State. The reduction in the move T. A. is not, I think, as much as 50 per cent. but about 25 per cent. I have every sympathy with those who are left in the cold and still more sympathy with those who are left in heat. But it is very difficult to go back at short notice on the recommendations of a duly appointed Retrenchment Committee. At the end of my remarks last year I said that I was not in possession of figures and I am still not in possession of those figures. I am prepared, if this resolution is withdrawn to call for figures at a very early date and to examine them and if those figures really show that the present system is more expensive, or less economical, Government will then reconsider the matter.

Mr. President, I do not think, I need say anything more. The actual position of the Government is that we cannot agree at the moment that the present system whereby only certain offices move is uneconomical. But if the resolution is withdrawn we will reconsider the question in the light of the figures which I shall call for atonce.

Sheikh Mohammad Amin : Sir, I submit.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) : You cannot say anything.

Mian Ahmed Yar : Permission to speak was given yesterday even after the Government had replied the debate on the resolution regarding Hindi. Why has it been refused taday?

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) : I would not permit it.

The resolution was put to vote and lost by 34 to 35 votes.

Note.—As regards next resolution (Resolution No. 4 standing in the name of late Chaudhari Chattar Singh) the Hon'ble President enquired from Pandit Ram Chandra Dobey if he had signed the resolution. Mr. Dobey said that he had not signed the resolution and the Hon'ble President then declared that this resolution would lapse.

RESOLUTION NO. V.

"The Praja Sabha is occupying the one side of the Praja Sabha Hall at Jammu and the Secretary the other side of it. Consequently the accommodation is comparatively reduced this year. Therefore this Praja Sabha recommends to the Council that so long as a separate Praja Sabha Hall is not constructed at Jammu the next session may be held in the Ajaibghar Jammu".

SARDAR HARI SINGH : Sir, Mr. Kak moved a similar resolution in a last session of the Praja Sabha, but unfortunately it was not carried. It is needless to state that at present we are put to a great difficulty for want of a suitable Praja Sabha Hall. Every individual realizes this pressing necessity. I would like to mention a few of the difficulties that we have to face at present. When the House breaks up for lunch, there is no room for the members to sit. This makes it impossible to do any work, however important it might be nor can we sit together and consult one another. The room provided for us is accommodated by the office at present. Even our important work is therefore left half done.

Sometimes bells begin to roll, when the Hon'ble President or some other Hon'ble Minister is speaking. The Hall we occupy at present has been taken temporarily from the Private Department. It is therefore that I have put this resolution before the House.

When Mr. Eliot the Franchise Officer came over here, I met him and he told me that there was sufficient accommodation for the Praja Sabha in Ajaibghar, which showed that the idea existed even then. In view of these facts I submit that so long as a special Praja Sabha Hall is not built, the House may hold its sessions in Ajaibghar. With these words I place this resolution before the Praja Sabha and request the House to accept it.

PANDIT RAM CHANDRA DOBEY : In supporting Sardar Hari Singh's resolution I submit that Ajaibghar is a suitable place for the Praja Sabha because no work can be done in this hall. There is no place where we can sit at leisure time. The Hon'ble President knows that if a man goes to see him in the room that he occupies at present, it shall be very difficult for him to do any work. In view of these facts I submit that for the Praja Sabha we should have a place where we can conduct our work properly. I therefore support this resolution.

MIAN AHMED YAR : In view of the necessity as well as the importance of the work to be done, it is highly essential that this resolution should be accepted. I submit, Sir, a suitable place is badly needed for holding meetings of the Select and Standing Committees. There is no room where these committees can work nor is there any place where the Groups can hold their meetings. All this can be arranged in Ajaibghar and the work of Select Committee as well as other committees can be conducted properly.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : When the question of constructing a building is placed before you, you oppose it.

MIAN AHMED YAR : Every body feels the necessity of a building. At that time we only thought that there are some more important works which should be done first, otherwise there is no doubt that a hall is badly needed.

As I have already stated there is no arrangement for holding the meetings of Standing Committees and Select Committees, nor is there a separate office for the Hon'ble President. The office is seated in nooks and corners and the furniture is scattered. At one place a machine is working and at other some other work is going on. In short there is much difficulty for want of suitable accommodation. Therefore if a Hall cannot be constructed for the present, it would be better to make such arrangement in the Ajaibghar as would make it possible to conduct the work properly.

LALA SHIV NATH NANDA : A resolution about the necessity of constructing a Praja Sabha Hall was moved in Srinagar also. I have already stated there and repeat it again that Ajaibghar is a place where it is very difficult to conduct the work properly. I am of opinion that the Praja Sabha Hall should be adjacent to the offices, so that the Hon'ble Ministers may ask their clerks when they feel the necessity of collecting information to reply any question. This will become difficult if offices stand at a distance. Therefore I submit that as the Jammu Session is to be held again a year hence, and a Hall can be constructed during this period. A new Hall should therefore be built as soon as possible. No mention has been made in the resolution about Srinagar. I think there should be a separate Hall in Srinagar also and it is necessary to build a Hall there as well. Money should be provided for this purpose from some special fund.

With these words I support the resolution.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : This is opposition in the garb of support.

PANDIT LOK NATH SHARMA : In supporting the resolution for the construction of a Praja Sabha Hall, which was moved in the last Srinagar Session of the Praja Sabha, I submitted that it was highly essential to construct a Hall at Jammu because the Hall occupied at present has been taken temporarily from the Minister-in-Waiting. As the Portfolio under the Minister-in-Waiting is a reserved subject, he can, at any time serve a notice for vacating it and we can have no objection.

In enumerating the difficulties, due to this Hall, I submit, Sir, that when we came to attend the session, we are faced with a difficulty at the very entrance into the outer gate. If any person comes in a car, he has to get down outside the gate and if he drives the car himself he has to leave it in the compound.

As nobody is allowed to carry an umbrella in the compound we are drenched when it rains. Though it is out of etiquette to talk of it, I would submit that there are no bath rooms here. Bath room is a necessity because a clean system facilitates the discharge of every duty. There are, besides, two partitions in this Hall. The Hon'ble President sits on one side and the office on the other.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : That partition is a joint partition for office and member's use. (Laughter)

PANDIT LOK NATH SHARMA : There are only three couches on one side. The rest of the furniture has been stored elsewhere. It is perhaps lying in some other house.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Do you mean that they have carried it home?

PANDIT LOK NATH SHARMA : This is the way to state that, because when four or five members go into the lobby, they have to sit on the tables of the clerks. There is no accommodation whatsoever other than what we have in this Hall.

This is a responsible Sabha and the men who have come here as representatives or otherwise are all responsible men. They place the grievances of the public before the House. All sorts of facilities are provided in other Sabhas and there is decent arrangement for accommodation. It is not so here.

I would also like to submit that there will be some inconvenience in the Ajaibghar also, because there is only one hall. So we shall have the same difficulties there as we have here. The four rooms on the backside of the Ajaibghar are already occupied by the Rajput Training School and the Sir Amar Singh Club is housed in the rooms on the other side of it. By moving this resolution we meant to express the difficulties that we have to suffer in this Hall. We leave it to the Government now. If they wish they can construct a convenient Hall. All that we want is accommodation so that we may sit conveniently. There should also be Committee rooms and all sorts of facilities for the Hon'ble President, the Secretary and all other clerks. There should be accommodation for the members and there should be bath rooms also.

THE HON'BLE MR. WAJAHAT HUSSAIN : Sir, a similar but a more comprehensive resolution was moved in the last session of the Praja Sabha. That resolution recommended the construction of a building for the Praja Sabha with rooms for the office. At that time we were wrong in not realizing the importance of the resolution, with the result that we did not give it the support that it deserved. Experience which is a great asset in the world has brought home to us the necessity of a Hall. When the members go out from this Hall to talk to one another, proceedings are disturbed. The Government also is alive to this difficulty and feels that the Praja Sabha Hall should be built at some other place.

Sardar Hari Singh's resolution is reasonable. No building other than Ajaibghar is suitable for holding the sessions of the Praja Sabha. The Hall at Srinagar is no better. Though close to the offices, it is not yet suitable for holding the sessions of the Praja Sabha.

MIAN AHMED YAR : There should be rooms for Standing Committees.

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes, there should be such rooms but there should, in the first place, be a room for the Hon'ble President and one for the Secretary. The Ministers should also have a room or two. They have to get information from their offices for replies to many of the questions asked in the House as also for the speeches. It is therefore very necessary that the offices should be close to the Praja Sabha Hall. Offices are usually close to the Councils and Parliaments. I shall immediately ask the Chief Engineer to select a place where the building can be constructed. A suitable place is needed in Srinagar also and when

we go there, I shall ask the Public Works Department to select a place for the building.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What about Jammu?

THE HON'BLE MR. WAJAHAT HUSSAIN : The Chief Engineer is in Jammu. I shall ask him just now to select a place where the building can be constructed and for the time being, orders will be issued for making arrangements in the Ajaibghar. As has already been stated by Pandit Lok Nath Sharma there is not much accommodation in Ajaibghar also. Besides, the Rajput Training School, the Public Library and the Club are also there. But still as the building is a big one some arrangement will be made before the next session by raising partitions and the Jammu Sessions will in future be temporarily held there till a new building is constructed.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Resolution is carried.

RESOLUTION NO. 6

PANDIT RAM CHANDRA DOBEY : (Mover)

"This Praja Sabha recommends to the Council that the Income-Tax Regulation be amended as under :—

I. In the proviso to clause 4 of Section 22 subsititute the word "two" for the word "three".

II. Omit Clause 2 of Section 30.

III. In the proviso to Section 45, substitute the word "shall" for the word "may".

PANDIT RAM CHANDRA DOBEY : I submit, Sir, that the period fixed by Section 22 clause 4 is three years. This Regulation was passed in 1991. The condition at present is that people do not maintain regular accounts and it is therefore very difficult to examine the accounts of previous three years, which are usually incomplete. The Income Tax Officers are also put to inconvenience and cannot be satisfied When I submitted this resolution, I had a mind to propose the period of one year only. But as the period is more than three years in British India, I proposed two years with due regard to the conditions prevailing in the State.

Secondly, I submit that Section 30, sub-section 2 bars the right of appeal. It is a great hardship. According to British Indian Rules an appeal lies to the Commissioners under Section 33.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Is it permitted in the Income Tax Rules of British India?

PANDIT RAM CHANDRA DOBEY : Yes, it is allowed.

Under Section 43, the Income Tax Officer is competent to postpone recovery but this is of no use to the public because there is no right of appeal.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The disposal of the appeal may take three or four years. There will be no recovery then.

PANDIT RAM CHANDRA DOBEY : If appeals were disposed of speedily there would be no inconvenience to the public.

PANDIT LOK NATH SHARMA (State Councillor) : I have stood up to clear a misunderstanding. I want to submit whether the Income Tax Regulation can be amended.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The House is not going to amend it, but recommends to the Council that the Regulation be amended. It is upto the Council to amend it or not to do so.

PANDIT LOK NATH SHARMA : My submission is that an amendment was proposed by Sardar Hari Singh last year, but the Hon'ble President said that such an amendment could not be moved in the House.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : If a Regulation is a financial Regulation we have no authority to pass it. We can only recommend it to the Council.

PANDIT LOK NATH SHARMA : I am quite satisfied with the reply received. I raised the point only because it was a constitutional one.

MR. AMAR NATH KOHLI : While supporting this resolution strongly, I submit that the House recommends to the Council to substitute 'two' for 'three' years, because ninety-nine per cent. of the people do not maintain accounts owing to lack of education.

They will maintain accounts after the Regulation has been in force for three or four years. It is the beginning yet and the difficulty is that previous accounts have also to be prepared but cannot be fully satisfactory. It is a petty matter and the grievance may be redressed.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It is an ordinary matter and the Hon'ble Finance Minister can accept it Provided that the Income Tax Officer shall not require account of a period relating to more than three years.

LALA AMAR NATH KOHLI : The other difficulty is due to Section 30, clause (2) which may be omitted.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It relates to an appeal, that an appeal may be allowed in this case also.

LALA AMAR NATH KOHLI : The fact is that at present the Income Tax Officer asks an assessee to submit his accounts and if he cannot do so for any reason, the Income Tax Officer makes the assessment according to his own will. This amendment asks for a right of appeal, so that there may be *ex-parte* assessments.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : But why should he not send return? Why should assessment be made under this penal clause? You don't take pains and therefore you suffer.

LALA AMAR NATH KOHLI : The assessee does not know how to solve the problem. That is his difficulty.

The second difficulty is that the Income Tax Officer is competent to ask an assessee not to deposit the money in the treasury till the appeal is disposed of. I support the resolution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : When you bring these things, you should discuss them with the Hon'ble Finance Minister.

LALA AMAR NATH KOHLI : In the proviso to Section, in place of . . . . . .

MR. PRESIDENT (The Hon'ble Sir Barior Dalal Kt.) : It is very difficult if you bring such matters in the Praja Sabha. If you

had consulted Thakur Sahib and then arrived at some sort of decision. . . . . .

There is no objection as regards Section 22 and 45. There is objection with regard to Section 30 only.

You make return. Suppose in that he makes assessment. Still you have the right to get the assessment cancelled by the same officer under Section 27.

LALA AMAR NATH KOHLI : The return referred to has not been fully explained.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I am afraid you make a mistake. It is the return he wants.

LALA AMAR NATH KOHLI : Unless the form of the present return is changed it is very difficult for the man who has not got clear account.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : But then you have the right of appeal.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : I am surprised to find that much of the pracious time of this House has been taken in discussing a matter, which it was not at all necessary to discuss. It would have been better if the member had come over to my office. I would have called the Income Tax Officer and the Assistant Income Tax Officer and discussed every thing with them.

LALA SHIV NATH NANDA : I tried to understand the resolution that has been put before the House but could understand nothing except one amendment namely, the substitution of 'two' for 'three' years I do not know what is meant by saying "omit clause 2 of Section 30". It would be better if Mr. Sharma explained it to me.

LALA AMAR NATH KOHLI : Please read the Regulation and you will understand it yourself.

LALA SHIV NATH NANDA : I do not understand what I want to comprehend. Do not think that I am opposing the resolution. I am rather supporting it. It may kindly be explained to me so that I may understand it. I enquired of Mr. Kak, who is a Vakil, but he told me that he too does not understand it.

MIAN AHMED YAR : It is not proper to say that the Vakils, who are sitting in this House do not understand it.

LALA SHIV NATH NANDA : I referred to Mr. Kak. I did not mean to convey what Mian Ahmed Yar has said. I requested Mr. Kak to explain it to me, but he said that he did not understand it himself.

PANDIT LOK NATH SHARMA : As regards the substitution of the word 'shall' for the word 'may' my submission is that an appeal, if filed, will *ipso facto* automatically stay execution proceedings. My submission would be that if some temporary company or Circus comes over in the State and they are assessed by the Assistant Income Tax Officer or Income Tax Officer and they do not want to pay the tax the result of this amendment would be that the tax of the State would not be realized, because it is open to them to prefer an appeal within the period prescribed from the order of assessment and they will represent on one rupee stamp paper that execution should be stayed, which will be automatic by this amendment. They may go away at any time leaving nothing behind My submission is that this provision vests the appellate authority with the power to exercise his discretion in a judicial manner whether he should or should not stay the operation of the recovery of this assessment. I would put it to the House, Sir, that if some sort of solution had been coming forward whereby the word 'shall' can be made to convey the meaning of the word 'may' by way of security being taken from the person for the payment of tax.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : 'May' is discretionary and gives him power.

PANDIT LOK NATH SHARMA : I was submitting that the substitution of the word 'shall' for the word 'may' will leave us to complications of the sort of which I have placed before you an example. This Regulation pinches the pocket of every one of us and we want that the payment of income tax should be deferred for as long a date as possible. We should therefore guard against such emergencies which will result by the operation of the substitution of the word 'shall' by the word 'may' and for that reason I oppose this clause No. 3. I have got no objection to clauses Nos. 1 and 2.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I will take up the three clauses separately. Do you want to speak (to the Hon'ble Finance Minister).

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Yes, Sir.

Sir, I am simply surprized. If Pandit Sahib had come to me,

everything would have been done easily. He wants that the Regulation should be amended but states no reason for that. He has simply stated that the word 'may' should be substituted by the word 'shall'. He has stated no particular inconvenience and so long as the House is not satisfied, I think, nobody will vote for the resolution. Perhaps he desires that income tax should be abolished but there should be some grounds for that. Personally I wish that there should be no income tax because I too will be benefited, for I have to pay Rs. 250 on this account at present. But as such a tax is necessary, it has therefore been imposed. How can the prevailing law be amended without any rhyme or reason.

MR. M. A. BEG : It is enough that you have understood this much.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : As has been stated by Mr. Sharma this amendment is likely to cause loss to the Government, because companies that come from outside and conduct business here, will leave the State after earning profits for a while. They shall simply have to submit an application on a one-rupee stamp.

MAJOR GENERAL RAO BAHADUR THAKUR KARTAR SINGH JI : Is income tax charged from moving companies also?

PANDIT LOK NATH SHARMA : Yes.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : As regards the examination of previous accounts, the Pandit Sahib proposed the substitution of two for three years. But I submit, Sir, that it is not generally necessary to examine the accounts of three years, unless there is reference to such accounts. It is not always necessary to submit the accounts of previous three years. Such practice is resorted to only when a person states that a particular item is carried forward from previous year. In such cases it is necessary to examine the accounts of previous three years to see whether the entry is correct or not. As for the right of appeal, if it is granted as proposed in the resolution, the whole Section referred to will be nullified.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (To the Hon'ble Finance Minister) : Have you got the corrections?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : No, Sir.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He says proviso at the end of the para.

PANDIT RAM CHANDRA DOBEY : Will the Hon'ble Finance Minister see the watch and try to finish it within time. There is very little time now.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : As Pandit Sahib has advanced no sound reasons in support of his amendments, the resolution may be put to vote.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Those who are in favour of the first amendment may raise their hands.

(Hands were raised)

You can write 'Yes' or 'No' for the first amendment and so for the second and the third.

PANDIT LOK Nath SHARMA : That will cause difficulty, Sir.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : All right. The first amendment will be put to vote first, then second and then the third.

NOTE. —Here the Hon"ble P esident directed the Assistant Secretary to read out the amendment No. 1, who read out the amendment.

PANDIT RAM CHANDRA DOBEY : When the Government accepts the first amendment, there is, I think, no necessity of putting it to vote.

MR PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (To the Hon'ble Finance Minister) : Have you any objection to No. 1?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : We are not accepting it, Sir.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The first one only will be put to vote first.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Sir, if Pandit Ram Chandra Dobey is particular about the first amendment only, then 'two years' will be substituted for 'three years'. I accept this amendment and he may withdraw the other two.

PANDIT RAM CHANDRA DOBEY : If the Hon'ble Minister will accept the third amendment, I shall withdraw the second one.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : No. 1 is accepted, numbers 2 and 3 rejected.

The Praja Sabha then adjourned till next day (Wednesday) the 8th April 1936, at 11 of the Clock.

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JAMMU AND KASHMIR PRAJA SABHA.

Wednesday, the $\frac{\textit{8th April 1936.}}{\textit{27th Chet 1992.}}$

OFFICIAL DAY.

The Praja Sabha met in the Praja Sabha Chamber in the Pink Hall Jammu at Eleven of the Clock. Mr. President (The Hon'ble Sir Barjor Dalal Kt.) in the Chair.

QUESTIONS AND ANSWERS.

757 SARDAR KANHAYA SINGH (West Kashmir :Sikh) : (*a*) Will the Hon'ble Home Minister please state whether Bhandari and Little Sons, Srinagar, who are non-State-subject contractors were granted contract of painting on estimate rate without calling tenders from them, at a time when other contractors were prepared to undertake the work at a reduction of 40 per cent. of the rates?

(*b*) That the officer of the Public Works Department favour these contractors and are their near relatives and that the latter enjoy special concessions?

Will Government take notice of such illegal acts and will state which officer is responsible for all this?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) The contract for painting at the Rajgarh Palaces was given to Little Sons and who are State-subjects at estimated rates, without calling for tenders. As tender was not called it is not known whether any contractor was ready to undertake the work at a rate below the estimate rate.

(*b*) and (*c*) Relate to Ghulab Bhawan, a reserved subject.

(*d*) The information is false.

758 LALA LAJPAT RAI (Jammu Wazarat :Hindu) : (*a*) Are Government aware that ground rent will be charged from Harijans who have settled in Jammu since the time of Maharaja Gulab Singh for the lands occupied by them for residential purposes?

(*b*) If the answer to (*a*) be in the affirmative, will Government please state whether on the occasion of the Coronation of His Highness the Maharaja Bahadur they were declared occupancy tenants of those lands or not?

(*c*) If the answer to (*b*) be in the affirmative, will Government in view of the fact that they have acquired this right by virtue of their residence since long, please exempt them from ground rent?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes. Their title over this land was got enquired into and it was found that they enjoy the status of tenants-at-will. This land has all along been entered in the name of the late lamented Sir Raja Amar Singh Ji and subsequently of then Raja now Maharaja Harisingh Ji Bahadur as proprietors and the proprietary right reverted to the State on surrender of this land by Maharaja Harisingh Ji Bahadur.

As the occupants were Harijans, Government took the lenient possible view of the matter and conferred on them the right of *Wasidari* on payment of nominal rent with right to alienate with permission of the Revenue Minister.

(*b*) No.

(*c*) Does not arise.

759. LALA SHIV NATH NANDA (Srinagar City :Hindu other than Kashmiri Pandits) : Will the Hon'ble Finance Minister please state as to what sum has been distributed by the Co-operative Department within the period of five years amongst the societies as loan, and what amount out of it has been recovered and what has not been recovered?

Out of what has not been recovered, what amounts are such as are not recoverable?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Co-operative Department does not advance loans. During last 5 years ending with Bhadon 1992 Central Banks advanced Rs. 16,49,390 to societies and recovered Rs. 18,77,889 during this time. The figures of recovery against Rs. 16,49,390 can only be ascertained after enquiry from Central Banks for which notice is required.

The last part of the question does not arise at this stage.

760. LALA SHIV NATH NANDA : Is it a fact that there are a few Gharats near the town Janganun of District Udhampur and that six rupees twelve annas are charged as revenue for each of these Gharats?

Is it a fact that in Jammu a Gharat fee of Rs. 3/4/- per Gharat is charged as revenue for the Gharat at Tawi?

If the answer be in the affirmative, will the Hon'ble Revenue Minister please state as to why there are excess charges for Gharats of Jaganun besides explaining the order that has been passed on the applications submitted long ago by the owners of the Gharats?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part.*---Yes.

2nd part.—Yes.

3rd part.—Assessment on Gharats is determined by local conditions and on merits of each case and was sanctioned at the last Settlement. As regards the orders passed on the applications referred to by the Member Praja Sabha, the concerned Gharatwalas can ascertain from the authorities concerned.

761. LALA SHIV NATH NANDA : Are Government aware that it was published in the "Martand" newspaper of the 18th Katik 1002 that the Director of Sericulture sold thirty thousand lbs. of silk yarn at the rate of Rs. 4/13/- per lb. to one of his personal friends, when there were other purchasers who were prepared to purchase the yarn at much higher rates and many traders had come to Srinagar from far off places and many other companies also sent telegrams to the Director informing him that they were coming and he should wait for them and the rate of silk yarn was also rising and there were some traders who were prepared to purchase the said goods at Rs. 5/10/- per lb., but the Director did not care for all this and sold the goods?

If the answer be in the affirmative, will the Hon'ble Revenue Minister be pleased to state whether under such circumstances when Government has undergone a loss of Rs 32,000 in the sale of these goods and when facts regarding this bargain have been brought to the notice of the Government through this article of the "Martand" any inquiry has been made in this behalf? If so, the results of the same may be stated?

If the answer be in the negative, what are the reasons for remaining inactive despite such a heavy loss? If it has been deemed that the article is based on misconception of facts why should not action be taken against the paper for creating such a sensation?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Yes. The allegations contained in the "Martand" of 18th Katik 1992 are incorrect. The sale effected at Rs. 4/13/- per lb. was made to a merchant of Benares by the Director of Sericulture with the previous concurrence of the Hon'ble Revenue Minister at the best rate obtainable. Benares being in commissionless zone, Agency Commission was not pavable on this business. The best offer forthcoming at the time through Messers Dina Nath Raina and Son was Rs. 4/9/- per lb. on which Agency Commission was also to be paid.

Similarly the best offer forthcoming through Messrs Mohammad Jan and Sons at that time was Rs. 4/12/- per lb. on which also Agency Commission was payable.

The Director has represented that the Martand is maliciously engaged against him in libellous propaganda. The question of suing the paper is under consideration.

PANDIT JIA LAL KILAM (Srinagar City South :Hindu) : Is it under consideration of the Government or the Director?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It is under consideration of the Director.

MR. PRESIDENT (The Hon'ble Sir Barior Dalal Kt.) : I think this is unfortunate making any references to a threatened suit which is not in the question.

LALA SHIV NATH NANDA : What commission is allowed?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : I do not know it at this time?

LALA SHIV NATH NANDA : What is this calculation then?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It comes from the office.

LALA SHIV NATH NANDA : Will it be stated at what rate commission is allowed?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It has already been clearly set forth. Rs. 4/13/- per lb. on which commission was also not to be paid was a high rate.

LALA SHIV NATH NANDA : But the Government did suffer so heavy a loss.

762. LALA SHIV NATH NANDA : Is it a fact that an article with the heading "Director Sericulture Ka Taza Shahkar" was published in the Martand newspaper dated the 22nd Magh 1992?

Is it a fact that a firm of Multan placed an order for coarse silk at Rs. 3/9/- per lb. with the stipulation that the goods would be taken delivery of from the Srinagar Silk Factory within the appointed time?

Is this also a fact that the said firm did not take delivery of the goods within the appointed time in accordance with the terms settled upon and that after the lapse of a considerable time when the silk became dear (*i. e.* when it rose to Rs. 5/12/- per lb., the Director of Sericulture recommended for the grant of the extension of the period settled upon for taking delivery and obtained sanction thereto, so that the firm could get the goods at Rs. 3/9/- per lb., instead of Rs. 5/12/- per lb. and thus the Government suffered a loss of thousands of rupees?

Is this also a fact that in order to provide further facilities to the firm in the matter of freight he delivered the goods from Jammu Silk Factory instead of the Kashmir Silk Factory? If the answer be in the affirmative, will Government please state whether any enquiry was made when the Martand newspaper explained in detail for the information of the Government, the affairs whereby they have suffered a loss of thousands of rupees?

If it be stated that for certain reasons goods were not ready at the appointed time, why was the order booked and in case the goods were in stock, why were the same not supplied? Who is responsible for such losses amounting to thousand of rupees?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part.*---No

2nd part.—Yes.

3rd part.—No. Extension in the period of delivery was granted as through unavoidable circumstances. The Silk Factory became unable to complete delivery within the stipulated period.

4th part.—No.

5th and 6th parts.—Do not arise.

LALA SHIV NATH NANDA : Sir, the reply to the first part is 'No' although the article referred to is in my possession.

NOTE.—The Sabha Sal showed the article in his possession to the Hon'ble Revenue Minister.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : What date does the paper bear?

LALA SHIV NATH NANDA : It bears the same date which I have stated.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It bears the date 22nd of Magh.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I am sorry it is the mistake of my office.

LALA SHIV NATH NANDA : The subject is, however, the same. The date may be wrong. The second part of the question I have asked runs :—

> "Is this also a fact that said firm did not take delivery of the goods within the appointed time in accordance with the terms settled upon and that after the lapse of a considerable time when the silk became dear (that is when it rose to Rs. 5/12/- per lb.) the Director of Sericulture recommended for the grant of extension of the period settled upon for taking delivery and obtained sanction thereto so that the firm could get the goods at Rs. 3/9/- per lb. instead of Rs. 5/12/- per lb. and thus the Government suffered a loss of thousands of rupees".

The reply to it is 'No'.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No. That is not so. The Silk Factory could not complete delivery within the stipulated period.

LALA SHIV NATH NANDA : The Silk Factory which can annually turn out $2\frac{1}{2}$ lacs of pounds of silk could not complete delivery within a period of five years.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It calls for no discussion. The information asked for has been supplied.

LALA SHIV NATH NANDA : I submit that the Government suffered a loss of Rs. 2 per lb.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The required information has been supplied to you.

763. HAJI AHMEDULLAH SHAHDAD (Tashawan-Srinagar City :Muslim) : (*a*) Will the Hon'ble Finance Minister be pleased to state whether the Municipal Committee in the year 1985-86 finally decided that for the sake of the road the land occupied by the shops attached to the mosque of Islam Yarbab, shall be acquired after paying compensation therefor, but so far neither compensation has been paid nor permission has been given to repair the shops?

(*b*) If so, are Government prepared to take action against the person who is responsible for such negligence in this matter and when will Government make good the loss suffered so far by the mosque after recovering it from the pay of the said officer. If not, why?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) The Municipality itself proposed to acquire it but so far it has not finally been determined to take possession after payment of compensation. No one has ever sought to repair the shops and no permission has been with-held and therefore no question of loss arises.

(*b*) Does not arise.

764. HAJI AHMEDULLAH SHAHDAD : (*a*) Are Government aware that the Municipal Committee, Srinagar served the Pandits of Chattabal with a notice on the 22nd Bhadon 1991 that those who have enclosed vacant lands by means of wires or pardah walls or have constructed new buildings should submit in the Municipal office within four days the permission of the Municipal Committee authorising such constructions?

(*b*) If so, what action have Government taken against those who have not complied with the notice or are guilty of infringing Municipal bye-laws? If no action has been taken what are the reasons therefor? If the Government intend to take action is this matter, when will they do so?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : No general notice is traceable to have been given. Definite reply is not possible without particulars as to the names etc. of the persons alleged to have been served with a notice.

(*b*) Does not arise.

MIAN AHMED YAR : Has this reply been received from the office of the Municipal Committee or has it been prepared here?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : This reply has been received from the Municipal Committee office.

765. HAJI AHMEDULLAH SHAHDAD : (*a*) Are Government aware that proper arrangements of water-pipes, light, latrines, roads etc. like those of Ward No. 1 have not been made, so far, in Mohalla near Bagh Ghayyas Chhan Mohalla, Qutub-ud-Din Pura, Nauhatta and Khanyar which are situate in Ward No. 7 and 4?

(*b*) If so, when do Government intend to make such arrangements in these Mohallas, why are not the same facilities provided to these Mohallas as have been provided to Ward No. 1 and when do Government intend to provide equal facilities to all parts of the city? If not, why?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Municipal amenities have been extended to every part of the city according to local requirements and funds. Water taps, light, latrines and roads exist in the Mohallas in question. Roads in Ward No. 1 are designed for continuous and extensive wheeled traffic which conditions do not exist in other places.

(*b*) Does not arise.

766. HAJI AHMEDULLAH SHAHDAD : (*a*) Will the Hon'ble Revenue Minister be pleased to state :—

(*i*) Since how long the paper manufacturers of Kashmir have discontinued to supply paper to the Government?

(*ii*) Why tax for their paper mills is still being charged when they do not work them?

(*iii*) Whether tax for 8 years was realized all atonce by selling their property and after the completion of the case, refund of Rs. 1,300 was recommended but for the

last three years the whereabouts of the file of the said case are unknown and on the other hand the Government is recovering the arrears of this tax for the last 7 years?

(*b*) If the answer be in the negative, why tax is being charged from these poor people when they had discontinued their trade?

(*c*) If a case for the refund of the tax was made up, why has no action so far been taken in the matter and why is tax for the last seven years being demanded?

(*d*) Are Government prepared to take action against the officer who is responsible for negligence in the matter? If so, when? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) (*i*) Paper manufacturers are still supplying Government requirements of Kashmiri paper. Quality for quality, Kashmir paper is much too expensive to be used by Government offices. Demand for Kashmir paper is therefore extremely limited.

(*ii*) As will appear from (*i*) above, paper is even now made and supplied to Government. Revenue was realised from them as water-mills and not as paper factory.

(*iii*) No. Annual Revenue of Rs. 193/15/6 is under suspension since last eight years. Total arrears stand at Rs. 1,551/12/-. No recovery has been effected. No record is traceable of the alleged missing refund file of Rs. 1,300.

(*b*) No revenue is being charged since last 8 years (1985).

(*c*) No refund case has been traced.

(*d*) Does not arise.

MIRZA M. A. BEG : Will this paper be used in order to afford protection to the industry?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It has been definitely stated that it would not be used. If you want this paper to be used, you may bring in a resolution.

767. HAJI AHMEDULLAH SHAHDAD : Will the Hon'ble Minister in charge of the Municipalities be pleased to state for the

information of the House :—

(*a*) What is the annual gross income of the Srinagar Municipality?

(*b*) What is the annual expenditure of the Srinagar Municipality?

(*c*) What amount is spent on :—

(*i*) Pays.

(*ii*) Sanitation.

(*iii*) Conservancy.

The detail of expenditure in each ward during the last year may also please be given.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Income for 1992-93 is Rs. 4,01,930 excluding opening balance of Rs. 63,373.

(*b*) Expenditure for 1992-93 is Rs. 4,42,343.

(*c*) (*i*) Pays Rs. 88,369.

(*ii*) Sanitation (Public Convenience) Rs. 1,44,160.

(*iii*) Conservancy Rs. 1,21,364.

Detail of expenditure is not maintained separately by Wards.

768. HAJI AHMEDULLAH SHAHDAD : (*a*) Is it a fact that the Quran is not regularly taught in all the Primary schools and that the "Jahangir" newspaper has called the attention of the Hon'ble Minister to this fact in its issue dated the 27th December 1935?

(*b*) If so, will Government issue immediate orders for teaching the Quran?

(*c*) If so, when? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) The teaching of Quran is not included in the curriculum of Primary schools.

(*b*) and (*c*) No such orders will be issued as it is not intended to introduce religious education in schools.

769. HAJI AHMEDULLAH SHAHDAD : (*i*) Are Government aware that there is only one Government High School for girls in Srinagar, by which the girls cannot be fully benefited on account of the following reasons :—

(*a*) The school is situate on a thorough-fare where the girls observing purdah cannot go?

(*b*) The school is away from the inhabited parts of the city and the girls cannot walk such a long distance?

(*c*) There is no satisfactory arrangement for religious education and therefore people refrain from sending their daughters to this school?

(*ii*) Will the Hon'ble Minister in-charge of education, keeping the above facts in view, be pleased to make arrangement for opening a school in the centre of the city?

TH' HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*i*) Yes, there is only one High School.

(*a*) No.

(*b*) Yes, but Government has placed a motor lorry at the disposal of the school for bringing the girls.

(*c*) Religious education does not form part of the school curriculum.

(*ii*) Yes, if a suitable building is available.

770. HAJI AHMEDULLAH SHAHDAD : (*a*) Are Government aware that in the time of Nawab Maula Bakhsh ex-Home Minister, a body of Rules No. 20 was sanctioned according to which the teachers of the following qualifications were to be granted the certificates noted against each :—

F. As. were to be given the certificates of S. A. V.,
Matriculates to be given the certificates of J. A. V.,
Munshis or Moulvis to be given the certificates of S. V.

but since 1923 no action has been taken in this matter.

(*b*) Are Government prepared to act according to these rules? If so, when? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes, a set of rules was sanctioned for grant of special certificates to untrained F. As, Matriculates, Moulvis etc., but these certificates were to be awarded after an examination at which only those teachers who had served for 15 years with approved merit were allowed to appear.

No. Teachers are now deputed for B. T., S. V. and J. V. training.

771. COLONEL ABDUR REHMAN KHAN (Udhampur :Muslim) : (*a*) Are Government aware that Sveds, Telis and Arains have been excluded from the agriculturist classes of District Udhampur?

(*b*) Do Government take occupation for caste ; as generally the agriculturist's work at plough as well as oil press, at water-mills and in vegetable gardens, similarly there are Sveds with proprietary as well as occupancy rights who depend on cultivation?

(*c*) If it is so done, is it not unjust to do so in respect of the classes who have been excluded from the agriculturists classes?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Occupation by itself is not the only criterion for determining the caste of a community. The meaning of the term "caste" has been defined lucidly in para 318 of part 1 of the Jammu and Kashmir State Census Report 1931 as follows :—

> "A caste has been defined as an endogamous group or collection of groups bearing a common traditional occupation who are so linked together by these and other ties, such as the tradition of a common origin, the worship of common tutelary deity, and the observation of the same ceremonies etc. that they regard themselves and are regarded by others as a single homogeneous community".

The various points mentioned in the definition given above are taken into consideration in classifying different communities into castes.

(*c*) The two questions *viz.* (*i*) of classifying communities into castes and (*ii*) classifying castes for purposes of Alienation of

Land Regulation into agriculturists and non-agriculturists are independent matters and have no direct bearing upon each other. The former is determined according to the definition given above and the latter is determined from the fact whether or not majority of such classes depend upon agriculture as the chief source of their livelihood. As such, the question raised by the Member Praja Sabha does not arise.

COLONEL ABDUR REHMAN KHAN : Do Arains, Syeds and Telis not worship one God.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : I have already stated how a community can be classified.

COLONEL ABDUR REHMAN KHAN : Do Government take occupation for caste? The Syeds are both owners and occupancy tenants and depend upon agriculture for their livelihood.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : For determining the caste of a community occupation by itself is not the only criterion. The question is whether agriculture is the chief source of its livelihood. If it is found that certain castes have been excluded through mistake they can be taken in.

COLONEL ABDUR REHMAN KHAN : It is very kind of you.

772. COLONEL ABDUR REHMAN KHAN : (*a*) Are Government aware that there is no wall enclosing the compound of the Hospital of Udhampur on account of which females avoid coming over there and that by spending an amount of Rs. 500 at the most this inconvenience can be removed?

(*b*) Will Government please get this wall constructed soon?

THE HON'BLE MR. WAJAHAT HUSSAIN : No such complaint has so far been received by Government. It is not a fact that Muslim females do not attend the Hospital as during the year 1991192, 410 Muslim females attended the Hospital.

(*b*) If a complaint is received the inquiry will be made.

773. CHOUDHARI ABDULLAH KHAN (Jammu Wazarat : Muslim) : Will Government please state :—

(*a*) What arrangement, the Education Department has made to supply furniture to the Primary schools in Mufassils and whether it is satisfactory?

(*b*) What Primary schools of the Mufassils have so far been given the articles required by them during the current year and what is the detail and the total of the amount paid for carriage expenses? If nothing has been paid what are the reasons therefor?

(*c*) What sum during the last session was sanctioned for the carriage of furniture during the last year? What amount of it was spent and what amount was refunded into the treasury? What is the detail and the total of the sum spent for the Primary schools of Mufassils?

(*d*) Are there any Primary schools which have been given the articles required by them during the last year without giving them travelling allowance or carriage expenses? If so, the names of such schools and the reasons for not giving the carriage expenses may please be stated.

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) The Assistant Inspector concerned supplies furniture to Primary schools. No complaint has been received so far regarding the existing arrangement.

The collection of information will involve an amount of labour and expense which will be in disproportionate to the result achieved. The Government regrets that it is unable to supply it.

CHOUDHARI ABDULLAH KHAN : I submit that it was stated in Srinagar Session that the reply will be given later on.

THE HON'BLE MR. WAJAHAT HUSSAIN : This information cannot be supplied.

CHOUDHARI ABDULLAH KHAN : There is very little furniture in the Mufassil schools in the Illaqas of Reasi and Kathua and much inconvenience is being felt on that score.

THE HON'BLE MR. WAJAHAT HUSSAIN : It has not come to my notice. If such a thing is brought to my notice, the grievance on that account will be removed.

774. CHOUDHARI ABDULLAH KHAN : (*a*) Will Government please state what is the intention of Ailan No. 17 and to what areas it is applicable?

(*b*) What is the definition of the private area? Is it not owned and possessed by Government? If not, why? If it is owned and possessed by the Government, why action is not taken according to Ailan No. 17? Reasons may be stated.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Ailan No. 17 is meant for allotment of *Shamilat* out of Khalsa area.

(*b*) Land owned by private individuals, and not owned by the Government. The rest of the question is not clear.

CHOUDHARI ABDULLAH KHAN : I want to ask whether at present there is any area which is known as private area. Have private areas been amalgamated with the State?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : What do you mean by "private areas"? Do you mean by them the areas which were the private property of His Highness before but were subsequently amalgamated with the State.

CHOUDHARI ABDULLAH KHAN : I mean that private areas of the late Maharaja Sahib. Why are the provisions of Ailan No. 17 not applied to them?

MR PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : All right, we have heard you. The reply has already been given.

CHOUDHARI ABDULLAH KHAN : I submit that at present they are not private but have been turned into *Shamilat* areas.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It should be borne in mind that the private areas of the late Maharaja Sahib were amalgamated with the State under a separate *Ain* which applies to them.

CHOUDHARI ABDULLAH KHAN : I want to ask whether this Ain was issued by His Highness the Maharaja Bahadur.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Every *Ain* is issued by His Highness.

775. PANDIT RAM CHANDRA DOBEY (Kathua Wazarat : Hindu) : What is the present number of taxi lorries in the State?

THE HON'BLE MR. WAJAHAT HUSSAIN : The number of taxi lorries in the State is 577.

775. PANDIT RAM CHANDRA DOBEY : Will Government please state the number of taxi lorries in each company in the State and on what principles is the contract of the Addas for the taxi lorries granted at present in the Mufassils and whether this amounts to an additional tax.

THE HON'BLE MR. WAJAHAT HUSSAIN : The number of taxi lorries in each company is as follows :—

No.	Name of Motor Transport Company.	No. of lorries possessed by each Motor Company	No. of lorries passed in the name of individuals owners attached to the Company.
1	Nanda Bus Service Ltd. .	5	15
2	Murree & Kashmir Carriers.	7	64
3	Public Motor Service ...	6	17
4	Mechanical Bus Service ...	5	37
5	Regal Motor Service ...	7	4
6	Victoria Motor Service ...	5	38
7	Kashmir Transporters Ltd...	7	7
8	Isser Motor Service ...	5	9
9	Royal Durbar Motor Co. ...	4	32
10	New Durbar Motor Co. ...	2	1
11	Express Motor Co. ...	1	52
12	United Motor Service ...	4	33
13	Kashmir Popular Motor Service ...	2	4
14	M. Sohan Lal & Sons ...	4	1

No.	Name of Motor Transport Company.	No. of lorries possessed by each Motor Company.	No. of lorries passed in the name of individuals owners attached to the Company.
15	Kashmir Frontier Bus Service	4	21
16	Haji Chiragdin & Sons ...	2	8
17	Imperial Motor Co. ...	3	3
18	British Army Motor Service.	2	.....
19	Punjab Express Motor Service Co. ...	5	4
20	Punjab Motor Service Co ..	7	5
21	N. D. Radha Kishen & Sons.	4	.....
22	Jubilee Motor Service ...	4	4
23	Standard Motor Service ...	1	.....
24	Northern India Motor Service.	5	.....
25	Government Mail Motor Kashmir ...	8	.....
26	N. W. R. Bus Service ...	3	.....

Contracts of Addas are granted by the Town Area Committees under Section 15 (*a*) of the Town Area Regulation.

The lease money is not a tax but it is an additional burden.

777. PANDIT RAM CHANDRA DOBEY : Are Government prepared to adopt measures to check the charging of fares from the public on Kathua-Jammu road by the owners of the lorries on rates as they please?

THE HON'BLE MR. WAJAHAT HUSSAIN : The present rates charged do not appear to be exorbitant.

778. PANDIT RAM CHANDRA DOBEY : Will it not be proper to auction the contract of the entire road on competition between reliable companies, whereby the rate of fare may not exceed two pice per mile for each seat?

THE HON'BLE MR. WAJAHAT HUSSAIN : The Government is not in favour of granting monopoly by auctioning the contract.

PANDIT RAM CHANDRA DOBEY : Since when has the Town Area Regulation been in force in Kathua and Jasmergarh?

THE HON'BLE MR. WAJAHAT HUSSAIN : Since the date when it was passed.

PANDIT RAM CHANDRA DOBEY : Is there any lorry stand in Jasmergarh?

THE HON'BLE MR. WAJAHAT HUSSAIN : There is no question concerning it.

PANDIT RAM CHANDRA DOBEY : There exist lorry stands in Jasmergarh although the Town Area Regulation has not been extended to it. How is it then that the Lorry Stands have been set up there?

THE HON'BLE MR. WAJAHAT HUSSAIN : Enquiry will be made and information supplied to you.

PANDIT RAM CHANDRA DOBEY : Sir, you have stated that the present rates do not appear to be exorbitant. But when there are companies that are willing to charge fare at the rate of two pice per mile why is the rate put up so high?

THE HON'BLE MR. WAJAHAT HUSSAIN : I have expressed my own opinion while you have put forward your own.

PANDIT RAM CHANDRA DOBEY : The present neglected condition of Jammu is such as calls for immediate attention. The Lorry service treats the public very harshly. When the number of lorries goes down the lorry service leaves the passangers on the way.

PANDIT RAM CHANDRA DOBEY : I submit that the management under the present system of granting contract is not good. Why should a responsible company be not granted the monopoly?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You are asking question about which there is a difference of opinion between you and the Minister. This cannot be settled here. These are questions of policy and you may put in a resolution.

779. PANDIT RAM CHANDRA DOBEY : The subjects have sometimes to undergo great loss in the cutting of dry mulberry trees and that they cannot get in time the permission for cutting trees. Will Government consider the question of removing such restrictions from the zamindars and will they order that the Girdawar or any other officer of Revenue Department may permit the cutting of mulberry trees on the spot?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The restriction on cutting without proper previous permission aims at preserving mulberry leaf for the rearing of the silkworm which deserves being regarded as a National Industry.

Government regrets its inability to divest the Sericulture Department, which is charged with the function of arranging Silkworm Rearing, of the control necessary for the preservation of the mulberry leaf. Permission to cut dry mulberry tree is promptly given by the Sericulture Department.

PANDIT RAM CHANDRA DOBEY : How can the prohibition to cut dry mulberry trees ensure the preservation of mulberry leaf?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The Sericulture Department grants permission to cut dry mulberry trees but preserves green mulberry trees. The power to grant permission to cut dry mulberry trees cannot be passed on to Girdawars, Patwaris and other employees of the Revenue Department, for it is feared lest they should permit the cutting of dry trees even. It is the Sericulture Department that needs the preservation of mulberry leaves and not the Revenue Department.

PANDIT RAM CHANDRA DOBEY : The only difference, so to speak, is that the Revenue Department cuts the green trees which the Sericulture Department would preserve.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : I mean to say that if such power is passed on to officers down to the Girdawar, there is apprehension for its abuse.

PANDIT RAM CHANDRA DOBEY : Will Government state for the information of the House the details regarding the difficulties

faced by the students of the Sanatan Dharam High School, Jammu this year in going for the Entrance Examination? Will they encourage such public institutions by providing proper facilities in future?

THE HON'BLE MR. WAJAHAT HUSSAIN : Sanatan Dharam High School is not a Government institution. The Government has no detailed knowledge of the difficulties experienced by its students this year.

781. PANDIT RAM CHANDRA DOBEY : The present building of the Hiranagar School does not provide sufficient accommodation. Are Government prepared to add at least two more rooms to the present building of the school? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN : An estimate for Rs. 8,067 stands sanctioned for providing additional accommodation in the Middle School Building of Hiranagar, but the work has not been executed so far for want of funds.

PANDIT RAM CHANDRA DOBEY : When an estimate for Rs. 8,067 has been sanctioned and the Government is also aware of the keen felt want of accommodation, will it provide for the addition of a few rooms during this winter by spending a small amount out of this sum, which would afford shelter to the children from the scorching sun, for during summer the boys have no room even to sit.

THE HON'BLE MR. WAJAHAT HUSSAIN : The matter was considered. But as the building for the whole school has to be constructed it will take one year to execute the work.

782. PANDIT RAM CHANDRA DOBEY : The proposal of the Government for abolishing Hindi in State S. V. and J. V. Schools is prejudicial to the interests of Hindu community?

Are Government prepared to consider over this question and to revive the teaching of Hindi in such schools?

THE HON'BLE MR. WAJAHAT HUSSAIN : S. V. and J. V. classes are meant for giving training to teachers in the methods of teaching. As S. V. and J. V. trained teachers are engaged for teaching general subjects there is no necessity for including in their course of teaching such subjects as Persian, Hindi and Gurmukhi for which special teachers qualified to teach these subjects are employed.

PANDIT RAM CHANDRA DOBEY : Is Hindi also a classical language like Persian?

THE HON'BLE MR. WAJAHAT HUSSAIN : No. Hindi also, it has been stated, is not a classical language.

783. PANDIT RAM CHANDRA DOBEY : The development of trade in Tehsil Basohli depends on Basohli-Kathua and Hiranagar-Ramkot roads. Are Government prepared to turn these roads into motor roads at an early date when motor traffic can be possible on them by repairing only a few miles of these?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *Basohli-Kathua Road.*—Some portion of it has been made fit for motor traffic during fair weather and the rest will be taken in hand when funds are forthcoming.

Hiranagar-Ramkot Road.—Provision will be made in the next year's Revenue Budget for special repairs to this road.

784. PANDIT RAM CHANDRA DOBEY : A Lower Middle School was set up at village Balawar, Tehsil Basohli in 1988 since when the inhabitants of the village have been submitting petitions to the Education Department urging them to raise its status to that of an Anglo-Vernacular Middle School and promise to extend the school building at their own expenses and undertake to increase the number of students to 200 as there are eight Primary Schools in the area surrounding them. Will Government in the circumstances consider this legitimate request of the inhabitants? If not, why not?

THE HON'BLE MR. WAJAHAT HUSSAIN : There is already an Upper Middle School at Bhaddu. The Government regrets that a second Upper Middle School cannot be opened at present at Billawar which is only three or four miles from Bhaddu.

PANDIT RAM CHANDRA DOBEY : Will the matter be taken up next year?

THE HON'BLE MR. WAJAHAT HUSSAIN : No promise can be made with regard to it.

785. PANDIT RAM CHANDRA DOBEY : In each of the three Tehsils of District Kathua the people are accustomed to Unani method of treatment of diseases. Besides the Government dispensaries being situate at the head-quarters of the Tehsils it is

rather difficult to take the patients to such a distant place and thus the villagers die before their time.

It is, therefore, necessary that Vaids may be appointed for them in all big central places and in big villages.

Will Government soon provide such facilities to these people? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN : Unless the results of experimental aid that has been given to Hakims and Vaids are definitely known it does not seem desirable to further extend the experiment.

PANDIT RAM CHANDRA DOBEY : Is experimental aid being given to Hakims and Vaids in Kathua? If not, will the experiment be extended to that place?

THE HON'BLE MR. WAJAHAT HUSSAIN : Such an experiment is being conducted in,the State and in case it succeeds, the system will be extended to Kathua also.

786. PANDIT RAM CHANDRA DOBEY : The zamindars of District Kathua are becoming poorer and poorer on account of drought and the cheapness of grain and they can ill afford even to pay land-revenue. Are Government prepared to permit throughout the year the export of grain from this district free of customs duty? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The export duty on rice and Dhan from the Kathua District has already been remitted for the current financial year?

PANDIT RAM CHANDRA DOBEY : The Fasli year will end in Assuj when the Dhan crop will be nearly ripe. Will Government extend this concession to the year 1993 Bikrami, for when Dhan harvest ends, renewal of the sanction will take three months more.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It is yet too early to decide this matter.

PANDIT RAM CHANDRA DOBEY : Will Government decide it before Assuj?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The matter will be considered.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The matter will be considered. A note will be made.

787. PANDIT RAM CHANDRA DOBEY : Will the Hon'ble Revenue Minister please state whether it is a fact that some fully qualified Naib-Tehsildars who having worked as Naib-Tehsildars for 4 or 5 years were reverted to make room for some inexperienced raw recruits. Is some month's training considered sufficient to allow a candidate to hold an independent charge?

(*b*) Is there any instance to show that a candidate for a particular Revenue officer's post who had to deal with public was appointed to that very appointment immediately after training or had to start from a lower post to give him practical experience of the responsible work and if not, what are the reasons for departure from the past practice?

(*c*) Is it a fact that the orders passed on the Glancy Commission recommendations lay down that in making recruitment 1/3rd of vacancies should be allotted for departmental promotions and the remaining 2/3rd only kept for direct recruitments? If so, why were these orders ignored in making appointments of Naib-Tehsildars to all vacancies from direct candidates?

(*d*) What does the Government contemplate to do in the case of these reverted Revenue officers?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) It is true that the absorption of new candidates resulted in the reversion of 4 officials. But all of these officials held only temporary appointments of Naib-Tehsildars and were (excepting one) not accepted candidates for the post of Naib-Tehsildar.

One year's training is considered to be sufficient to acquaint a Naib-Tehsildar with Revenue and Settlement work.

(*b*) Yes, there are instances in which suitable candidates were directly appointed to Naib-Tehsildar's posts after receiving necessary training when they were considered to be fit for holding the charge of the post.

(*c*) *1st part.*—No.

2nd part.—Does not arise.

(*d*) Each case is being dealt with on its merits.

788. PANDIT RAM CHANDRA DOBEY : Will Government please lay on the table of the House a list of Vakils at present practising in District Muzaffarabad showing which of them are hereditary State-subjects?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : There are at present 2 Vakils practising at Muzaffarabad :—

1. Mr. Ahmed Yar.

2. Mr. Para Ram.

Information is not available whether they are hereditary State-subjects or not. They were admitted before the promulgation of the Notification No. 1-L of 1984.

MIRZA M. A. BEG : Is Mian Sahib's being a Member of the Praja Sabha no proof of his being a State-subject?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I do not think that makes him a hereditary State-subject.

MIRZA M. A. BEG : This shows that we the Praja Sabha Members are not State-subjects.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You may be. You keep your light concealed.

789. PANDIT RAM CHANDRA DOBEY : Is the contract for installing electricity in private houses in the Muzaffarabad town given to a non-State-subject Vakil in face of the complaints of the public in this behalf?

THE HON'BLE MR. WAJAHAT HUSSAIN : Government has no information.

790 PANDIT RAM CHANDRA DOBEY : Is it a fact that the Customs Department appointed a non-State-subject Vakil to conduct all the cases on behalf of the Government filed by it in the Judicial Courts in District Muzaffarabad upto Maghar 1992 during the current year and that inspite of his failing to appear on many dates of hearing he realized his legal fees even for those dates of hearing through the indulgence of the department concerned?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The question is vague as particulars of the case to which

it relates have not been given, but the Finance Minister will be glad to enquire into the allegation about the failure of the lawyer and the recovery of his fee for the days of absence if these particulars are supplied in due course.

There is no rule debarring the employment of any particular class of lawyers in Government cases and in engaging Counsel for the conduct of cases on behalf of the Department, the primary consideration is the efficiency of the lawyer engaged and the reasonableness of his remuneration.

791. PANDIT RAM CHANDRA DOBEY : Will Government please give the details of the sums spent on the water supply in Kandi Illaqa in Kathua District during the last five years? What sum do Government intend to spend annually in future on water supply in this Kandi Illaqa?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Rs. 13,190 the detail of which is given below were spent in the Kandi Illaqas of Kathua District for water supply during the last five years :—

		Rs. a. p.
1986-87	...	5,102-2-6
1987-88	...	6,570-1-0
1988-89	...	154-5-0
1989-90	...	No amount spent.
1990-91	...	Do.
1991-92	...	1,363-1-0
Total	...	13,190-0-0

(*b*) No amount has been fixed for this purpose.

PANDIT RAM CHANDRA DOBEY : Will it please be stated on what objects this sum of Rs. 13,190 was spent?

THE HON'BLE MR. WAJAHAT HUSSAIN : This is a new question. You can ask the details afterwards.

792. MAJOR MIRZA ATTA MOHAMMAD : (*a*) Are Govern-

ment aware that Syed Nisar Hussain, Tehsildar Rajouri is a B. A., LL.B.?

(*b*) Are Government aware that Syed Ghulam Hussain Shah Jilani, great grand father of Syed Nisar Hussain Shah was a much popular man and a favourite of late Shree Maharaja Ranbir Singh Ji?

(*c*) Do Government consider the hereditary services of this family?

(*d*) Do not the educational and the above mentioned qualifications of Syed Nisar Hussain go to show that he is fit for the post of Wazir-i-Wazarat? If the answer be in the affirmative, when will he be appointed a Wazir-i-Wazarat?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*)and (*c*) It was in view of his family claims and educational qualifications that Syed Nissar Hussain was promoted to Tehsildar cadre shortly after his appointment as Naib-Tehsildar.

(*d*) *Part I*.—Syed Nissar Hussain has not, so far, fully qualified himself for Tehsildarship and is a junior IV Grade S. P. T. Tehsildar.

Part II.—The question of his being appointed as Wazir-i-Wazarat, therefore, does not arise.

793. MAJOR MIRZA ATTA MOHAMMAD : (*a*) Does the Hon'ble Home Minister know that there are three High Schools in District Mirpur?

(*b*) Does the Hon'ble Home Minister know that a new High School is proposed to be opened in village Dadyal, District Mirpur?

(*c*) Will the Hon'ble Minister please state as to what are the reasons for depriving the Tehsils of District Reasi of schools?

(*d*) Will the Hon'ble Minister fulfil his promise given in the Srinagar session regarding the opening of a school in Rajouri?

THE HON'BLE MR. WAJAHAT HUSSAIN : There are only two High Schools in Mirpur District (Mirpur and Bhimber).

(*b*) No.

(*c*) The question does not arise.

(*d*) No such promise was given.

Major Mirza Atta Mohammad : If it is proved that a promise was given, will the Hon'ble Home Minister certainly open a High School in Rajouri?

The Hon'ble Mr. Wajahat Hussain : As no more schools are being at present opened in the State, no promise can be made in this behalf.

Lala Amar Nath Kohli (addressing to Mr. President) : Sir, the question No. 789 has not been replied to.

The Hon'ble Mr. Wajahat Hussain : They were too busy in talking. I have already answered that question, Sir.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) : I am sure, I called out No. 789.

The Hon'ble Mr. Wajahat Hussain : Yes, Sir, I have already read the reply.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) : You better repeat it.

The Hon'ble Mr. Wajahat Hussain : The Government has no information.

794. Malik Ghulam Hussain (Kulgam :Muslim) : (*a*) Will Government please state reasons for not granting the Maktab allowance for the months of Har, Sawan, Bhadon and Assuj 1990 to the Maktab teacher of Chadarbhan, Tehsil Kulgam, Division Anantnag inspite of the fact that the Maktab teacher has been working regularly?

(*b*) If the non-payment of the Maktab allowance was due to some delay of the office in sending the papers what action has the Education Department taken against the official responsible for the delay?

(*c*) Will Government now pay to the said Maktab teacher the due sum of allowances as referred to above, without further delay?

THE HON'BLE MR. WAJAHAT HUSSAIN : An allowance was sanctioned in favour of the Maktab teacher of Chadarbhan upto the end of Jeth 1990 and on receipt of a favourable report from the Assistant concerned the allowance was renewed from 1st Katik 1990. These allowances are granted on the recommendation of the Assistant Inspector provided that funds are available. As there were no funds during the months of Har to Assuj 1990, the allowance of Chadarbhan Maktab could not be renewed with retrospective effect from Har 1990.

(*b*) These questions do not arise.

795. MALIK GHULAM HUSSAIN : (*a*) Will Government please state the number of the retrenched employees of the punitive police, who have been recruited in the regular force in consequence of vacancies therein and of those who have not been employed as yet?

(*b*) How many such persons were appointed as constables in the Police during the last two years who were not the retrenched employees of the Police? What are the reasons in this connection for ignoring the rights of the retrenched employees?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) The figures are as follows :—

68 and 209 respectively.

(*b*) 22 recruitments to the punitive police were made at a very short notice and the conditions governing enlistment to Police service were not rigidly enforced. Such persons as fulfilled the conditions for service in the Police could be absorbed in the regular Police.

NOTE.—Khawaja Saif-ul-Din Shah got up instead of Khawaja Sanaullah Shah when the question was called out by the Hon'ble President.

796. KHAWAJA SANAULLAH SHAH (Handwara :Muslim) : (*a*) Are Government aware that the bridges over the village paths are got constructed by the zamindars and the expenses of construction are met with by the zamindars themselves?

(*b*) And that whenever any bridge gets out of order the repairing expenses thereof are also paid by the zamindars?

(*c*) Is it a fact that timber is required for the construction and repairing of these bridges and the Government does not provide

timber to the zamindars for this purpose but rather the zamindars are compelled to provide it themselves and they cannot provide it in any way whereby the zamindars are made to face grave difficulties?

(*d*) If the answer to the above parts be in the affirmative, will the benign Government realizing these grave difficulties of the zamindars issue special orders for such purposes of public utility timber may be supplied to the zamindars by the Government?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*), (*b*), and (*c*) No.

(*d*) The question of free supply of timber does not arise. For bridge constructions regular estimates are prepared and funds provided before the work is executed.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Is Mr. Sanaullah Shah ill?

KHAWAJA SAIF-UD-DIN SHAH : He is ill.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I am sorry.

KHAWAJA SAIF-UD-DIN SHAH : Sir, I get up on his behalf.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : No, no I do not mind. I have only asked as I did not see him.

797. KHAWAJA SANAULLAH SHAH : Are Government aware (*a*) that the zamindars have planted furit trees etc. in the Khalsa and Kahcharai areas through ignorance and that it is ordered by the Government to destroy these trees?

(*b*) That the presence of the trees in the said area is not in any way prejudicial to the purposes of grazing?

(*c*) If the answer to the above be in the affirmative, will Government consider the question of retaining instead of destroying such trees which on account of yielding produce have become a source of income to the zamindars whereby the zamindars may be saved against loss and the purpose of grazing may remain unaffected?

(*d*) If the answer to part (*c*) be in the affirmative will Government please state whether they intend to cancel such orders

and whether they consider it advisable to permit the zamindars to plant trees in such areas in future?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes, because unauthorised encroachment on Kahcharai area by individual zamindars would be prejudicial to the common interests of the village communities.

(*b*) No. On the other hand, the presence of trees on grazing areas, especially fruit trees, is prejudicial for grazing purposes because the owners of such trees will not permit animals to graze in their vicinity and thus the real object of allotting such areas would be defeated.

(*c*) and (*d*) Do not arise.

798. KHAWAJA SANAULLAH SHAH : (*a*) Is it a fact that at many places zamindars have on account of ignorance constructed houses in the Kahcharai area, and that orders have been issued to pull down such houses?

(*b*) Are Government aware that in accordance with *Ailans* No. 4 and 5 *Shamilat* area has been granted to the zamindars for cultivation and do Government know that the areas where they are situate the houses of the zamindars were at the time of specification of *Shamilat* overlooked and for the sake of the protection of the zamindars were not excluded from the Kahcharai area and were not entered as *Shamilat*?

(*c*) Do the benign Government realize that it is after much personal and financial troubles and difficulties that the zamindars have constructed these houses and that by dismantling these houses the zamindars will be ruined?

(*d*) If the answer to part (*c*) be in the affirmative, do Government consider it advisable to issue orders for excluding such areas from the Kahcharai areas and entering them as *Shamilat* areas? If so, may then a speedy action be expected in this behalf?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The Member Praja Sabha is referred to reply to Q. D. No. 757 of the last session of the Praja Sabha.

799. KHAWAJA AKBAR DAR (Awantipura-Muslim) : Will the Hon'ble Home Minister please state as to who has been en-

trusted with the duty of supervising the daily attendance and other activities of the teachers in the Primary Schools at hilly places, hardly accessible during the days when it is impossible for any supervising officer on account of rain and snowfall, to visit such places?

THE HON'BLE MR. WAJAHAT HUSSAIN : The Assistant Inspector of Schools has been entrusted with the duty of supervising the work of Primary Schools.

KHAWAJA AKBAR DAR : What is he entrusted with?

THE HON'BLE MR. WAJAHAT HUSSAIN : Supervision. (Laughter)

KHAWAJA AKBAR DAR : Does he supervise their work every moment?

THE HON'BLE MR. WAJAHAT HUSSAIN : He is an Assistant Inspector and not a Chowkidar. (Laughter)

MIAN AHMED YAR : How many complaints have been received in regard to the non-attendance of teachers?

THE HON'BLE MR. WAJAHAT HUSSAIN : You may ask the question. I shall certainly reply to it.

800. KHAWAJA AKBAR DAR : (*a*) Will the Hon'ble Judicial Minister please state on what charge and under what section Wahab Mir and Asad Mir zamindars of village Moran, Tehsil Pulwama, were prosecuted two years ago at the time when the unpleasant incident of firing took place at Pulwama whereby Rs..500 and Rs. 250 were charged respectively as fine from them.

(*b*) Does not the imposition of such heavy fines on such simple-minded zamindars with very limited means, amount to hardship?

(*c*) Is it a fact that their appeal has been submitted to His Highness the Maharaja Bahadur?

(*d*) If the answer to part (*c*) be in the affirmative, what decision was passed on this appeal?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : Wahab Mir and Asad Mir were convicted under provisions of Notification 19-L and sentenced to fine as mentioned by the member.

(*b*) It is a question of fact whether an amount imposed as fine by a court of law is heavy or not. Each case has to be judged on its particular merits and punishment has to be according to the gravity of the offence. In the opinion of the Judicial Minister men who commit such a crime are not simple-minded but wicked-minded.

(*c*) Such appeals are not submitted to His Highness.

(*d*) Does not arise.

801. KHAWAJA AKBAR DAR : (*a*) Does the Hon'ble Revenue Minister know that Harikishen Lal, contractor of Southern Kashmir Fruit Box Factory, is a non-State-subject?

(*b*) If the answer to part (*a*) be in the affirmative, why such a big contract has been granted to a non-State-subject?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) The member Praja Sabha is referred to reply to question No. 331 at page 272 of the printed report of the Assembly Debates Volume III.

I will read out the previous reply, if you so desire.

KHAWAJA AKBAR DAR : Yes, please reat it out.

NOTE —The Hon'ble Revenue Minister then read the previous reply.

802. KHAWAJA AKBAR DAR : (*a*) Does the Hon'ble Revenue Minister know that the dry area of about 80,000 kanals extending from the village Larkachh Nambal of Tehsil Srinagar to the village Raipur used to be irrigated by means of a canal and used to yield four times as much produce as it does at present?

(*b*) Will Government please state the reasons why this fertile land which was irrigated in the past has been left un-irrigated at present when it can be restored to its old condition if the Government pay a little attention to it?

(*c*) Do Government for the good of the proprietors of the said area intend to irrigate it by means of a canal.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The Governor of Kashmir reports that there is no information available on the point. He has been asked to make inquiries on the spot and report.

KHAWAJA AKBAR DAR : Will the matter be considered on receipt of the report?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Yes, it will be considered.

803. KHAWAJA AKBAR DAR : (*a*) Are Government aware that there is no permanent arrangement for the supply of water in the following villages of Tehsil Srinagar :—

(1) Noorbag, (2) Bhagwanpura, (3) Rathpura, (4) Bagh Lala Pandit, (5) Wanganpura, (6) Wanyar, (7) Chandalpura, 8) Nauotra, (9) Gandarpura, (10) Saki Dafar,

and that not to speak of water for irrigation purposes the villages No. 1, 2, and 5 do not get water even for drinking purposes?

(*b*) Is there any irrigated area also in these villages?

(*c*) If the answer to (*b*) be in the affirmative, how much area is irrigated and from what canal or Kuhl?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) There is a permanent arrangement of water supply to Wanyar, Rathpura, Gandarpura and Saki-Dafar. As regards the remaining villages, necessary report is being called for from the Divisional Engineer concerned.

804. KHAWAJA AKBAR DAR : (*a*) Will the Kashmir Government please place on the table a statement showing the following figures regarding the Fire Brigade :—

(*i*) What is the strength of the establishment employed in the Fire Brigade?

(*ii*) How many motor-engines of the new type are there?

(*iii*) How many old engines are there which are without motor-power?

(*b*) At what places in the city there are Fire-Brigade stations, how many persons have been employed at such stations and what implements and other equipments are kept at each such station?

Figures may please be given for each station.

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : It is presumed that the information asked for

relates to the Srinagar Fire-Brigade and is as follows :—

(*i*) The total strength is 53 including all ranks.

(*ii*) One motor drawn petrol trailer fire engine and five hand-drawn petrol trailer fire engines of the new type.

(*iii*) One steam fire engine and three hand pumps of old type.

(*b*) Fire Brigade stations are at :—

Maisuma, Habba Kadal, Maharajganj, Rainawari and Saffakadal.

The strength and equipment of each station is as follows :—

MAISUMA HEAD QUARTERS.

21 persons in all. One motor-lorry drawn trailer engine with 1,800 feet canvas hose. One hand-drawn small trailer fire engine, one steam fire engine and one motor cycle.

AT EACH OF THE FOUR SUB-STATIONS.

Eight persons in all. One hand-drawn trailer fire engine with 400 feet canvas hose.

805. KHAWAJA AKBAR DAR : (*a*) In reply to Q. D. No.779 of the last Srinagar Session it was stated that details were being collected and that figures would be supplied in the next session after the collection of the required material.

(*b*) Will Government please supply the facts and figures asked for in the question referred to?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) As regards the Kashmir Valley, the Member Praja Sabha was, in reply to his Q. D. No. 779 of the last session of the Praja Sabha, referred to in the last portion of reply to Q. D. No. 35, given in that session of the Praja Sabha. As regards the rest of the State, complete information is still awaited. It could not be collected as the task of sorting agriculturists into cultivators of different state and non-cultivators 20 years back and at present was too laborious to be accomplished within the time available.

As, however, the object of the member Praja Sabha in calling for this data was to ascertain the steps taken by the Government to afford facilities for extension of cultivation, the member Praja Sabha will be interested to know that the Government has already taken effecive steps in this direction to satisfy the requirements of persons depending upon agriculture. *Shamilats* upto cent. per cent. of the basic cultivated areas have been granted. These areas can be utilized for extension of cultivation. Besides, the zamindars can acquire Khalsa waste lands under the rules in force in the State. In the Frontier Districts where agricultural land is scarce, *Nautor* is freely permitted. These measures will go a long way in extending cultivation.

806. KHAWAJA AKBAR DAR : Will the Hon'ble Home Minister be pleased to state what work has been done by the Research Department?

(*b*) How many manuscripts of Kashmir writers have been collected by this department so far?

(*c*) How many of these books have been published?

(*d*) Is it not included in the duties of the Research Department to collect the Persian works of the Hindu and Muslim poets of Kashmir who lived in the past?

(*e*) If the answer to (*a*) be in the affirmative, what work has been so far done by this department in this respect? If nothing, what are the reasons therefor.

THE HON'BLE MR. WAJAHAT HUSSAIN : Research on manuscripts collected by the department is done.

(*b*) Nearly one hundred.

(*c*) Fifty-five.

(*d*) No.

(*e*) Does not arise.

807. LALA RAM LAL VAKIL (Illaqa Poonch :Hindu) : (*a*) Is it a fact that during the political disturbances of 1088 the rebels having burnt the Gurdwara of village Drabah, Tehsil Mendhar tore out the Durbar Sahib?

(*b*) If the answer to the above question be in the affirmative, it may please be stated whether it is a fact that a kacha building has been constructed for the Gurdwara and Durbar Sahib has not yet been placed therein?

(*c*) If the answer to the above question be in the affirmative, are the Poonch Government prepared to construct a pacca building for the Gurdwara as they have done for the mosque Hari Gehl and place the Durbar Sahib in that building, if not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The Durbar Sahib was installed by a Sikh in one of the rooms of his residential house, which was burnt along with the house.

(*b*) The burnt house has been got constructed through the Muslims, but the owner of it has not, because of his bitter experience, agreed to having Granth Sahib in that building.

(*c*) The building was not exclusively a Gurdwara, as stated in (*a*) above and therefore the construction of a separate building to serve as a Gurdwara does not arise.

808 LALA RAM LAL VAKIL : (*a*) Will Government please state the number of cases of cow-killing in Illaqa Poonch during the years 1991-92? How many accused were challaned before the court and how many from amongst them were awarded punishment?

(*b*) If, as compared to the year 1991, larger number of cases of cow-killing occurred during the year 1992, what precautionary steps have the Poonch Government taken to stop this and what maximum punishments were awarded to the culprits?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*)

Year 1991.

The number of cases reported	...	13
The number of cases not admitted	...	8
The number of cases challaned	...	5
The number of cases that were successful		3
The number of cases that failed	...	2

Number of accused sent up for trial in the above 5 cases	...	7
Number of cases convicted out of above	.	5
Number of accused discharged	...	2

Year 1922.

The number of cases reported	...	13
The number of cases not admitted	...	4
The number of cases under investigation		2
The number of cases challaned	...	7
The number of cases that were successful		2
The number of cases that were pending trial	...	5
The number of accused sent up for trial in the above 7 cases	...	15
The number of accused convicted	...	2
The number of accused discharged	...	3
The number of accused under trial	...	10

(*b*) The number of cases reported during the years 1991 and 1992 being the same, the question does not arise.

LALA RAM LAL VAKIL : The latter part of (*b*) has not been replied to.

MR PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He says that a large number of cases did not occur.

WAZIR FEROZ CHAND (Wazir Poonch) : The information will be supplied to the Sabha Sad.

809. LALA RAM LAL VAKIL : (*a*) Is it a fact that more than two hundred girl students are reading in the Poonch Hindi Girls School?

(*b*) If the answer to the above be in the affirmative, it may please be stated whether a grant of fifty rupees only is given to the school?

(*c*) If the answer to part (*b*) be in the affirmative, are Poonch Government prepared to provide grant in accordance with the rules of Jammu and Kashmir State. If not what are the reasons therefor? What monthly grant was given by the Government to Muslim and Hindu schools before this?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No.

(*b*) and (*c*) Do not arise.

LALA RAM LAL VAKIL : No reply has been given to the latter part of (*c*).

WAZIR FEROZ CHAND (Wazir Poonch) : As it is related to the first part of the question, it does not arise.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The information may be supplied about that.

810. LALA RAM LAL VAKIL : (*a*) Is it a fact that the Muslims abducted Rokmani wife of Tola Ram Brahman resident of Mang, Tehsil Sudhunuti and a year and a half ago the case of the abduction of Rokmani was instituted in the court of Junior Sub-Judge, but the case, without the request of either party and without informing the parties, was transferred to the Tehsildar's court after that the charge had been framed and the defence evidence had been recorded?

(*b*) If the answer to the above be in the affirmative, it may please be stated as to why the case was transferred when it was at the final stage and why the case has not been decided so far?

WAZIR FEROZ CHAND (Wazir Poonch) : (*a*) The case in question was pending in the court of the Junior Sub-Judge, Poonch, who was then exercising jurisdiction over the Tehsil Sudhunuti and Bagh, who had framed charges against two Muslims for abducting Mst Rokmani. When the jurisdiction of the said Saddar Judge was transferred to the Tehsils Haveli and Mendhar, all cases pending in his court concerning such parties as were residents of Sudhunuti and Bagh were transferred to the courts of Saddar Judge, Rawalkote, and the Tehsildars. The case in question was therefore transferred to the court of Tehsildar Sudhunuti.

(*b*) The reasons of the transfer of the case have been given above. The case is likely to be finished soon.

811. LALA RAM LAL VAKIL : (*a*) Will Government please state whether the Jathas of the Muslims of the Illaqa used to visit the place after the Hari Gehl mosque was burnt down and whether they continued the utterance of unlawful cries?

(*b*) If the answer to the above be in the affirmative, it may please be stated as to what action did the Poonch Government take against these people? If no action has been taken, what are the reasons therefor?

WAZIR FEROZ CHAND (Wazir Poonch) : (*a*) The member Praja Sabha is referred to reply to Q. D. No. 820 (*a*).

(*b*) Executive action was taken against those who were found responsible.

LALA RAM LAL VAKIL : I may be informed as to what executive action was taken.

WAZIR FEROZ CHAND : Proper steps have been taken.

LALA RAM LAL VAKIL : I want to ask what action has been taken. You say that executive action has been taken. I want to ask what was that executive action.

WAZIR FEROZ CHAND : One Lambardar, two Chowkidars, one petition-writer and two peons have been suspended.

812. LALA RAM LAL VAKIL : (*a*) Is it a fact that Peer Asghar Ali Shah made a seditious speech before a gathering of thousands of persons and the Government have taken no steps to prosecute him?

(*b*) If the answer to part (*a*) be this that his speech was not seditious, it may please be stated as to on what grounds the Tehsildar issued an arrest warrant against him. Did the Tehsildar forbid him from making such a speech before the gathering?

WAZIR FEROZ CHAND : (*a*) Peer Asghar Ali made an objectionable speech before the gathering. The Tehsildar Bagh (Magistrate 1st class) issued a warrant for his arrest. He made an assault on the Police and ran away for which a case under section 354/147 R. P. C against him and others was registered. The investigation

had been started but was subsepuently ordered to be held in abeyance for the present.

(*b*) Does not arise.

LALA RAM LAL VAKIL : What was the reason for suspending the investigation?

WAZIR FEROZ CHAND : This is a new question.

LALA RAM LAL VAKIL : If that speech was objectionable, was any case started against him for that offence also. A case of an assualt on the Police has been registered against him but has prosecution been started for making an objectionable speech also?

WAZIR FEROZ CHAND : No prosecution has been started for that speech.

LALA RAM LAL VAKIL : What is the reason?

WAZIR FEROZ CHAND : Prosecution was not thought advisable.

813. LALA RAM LAL VAKIL : (*a*) Is it a fact that on the 7th Magh 1992, Fazal Ilahi and Sheikh Abdulla residents of Paddar, Tehsil Bagh submitted an application pertaining to the detailed circumstances about the burning of the Hari Ghel mosque, before the Wazir Sahib and that they submitted a similar application on 8th Magh, 1992 before the Superintendent of Police?

(*b*) If the answer to the above be in the affirmative, it may please be stated as to what action has been taken on these applications and whether action has been taken against those who set the mosque on fire or not? If no action has been taken, the reasons may be stated therefor?

What are names of the persons who were accused of this offence by the applicants?

WAZIR FEROZ CHAND : (*a*) Application of Fazal Illahi and Sheikh Abdulla was received by the Superintendent of Police through the District Magistrate and none direct. In that application it was stated that the mosque has not been burnt by the Sikhs but that it had been burnt under a strong conspiracy. There was no mention of the name of culprits in the application nor were there any more details.

(*b*) Three Muslims Ashraf and the above mentioned two applicants Fazal Illahi and Sheikh Abdulla were arrested and subsequently released on bail. The case is still under investigation. As already stated in (*a*) above no culprit was named in the application.

LALA RAM LAL VAKIL : Were they admitted to bail under your orders.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Are questions pertaining to matter resjudicata allowed?

841. LALA RAM LAL VAKIL : (*a*) Is it a fact that there are many Matriculates among the Hindu zamindars and that many of them are studying in colleges?

(*b*) If the answer to the above be in the affirmative, it may please be stated as to how many educated Hindu villagers have been recruited in service during the years 1991-92?

What is their number in the lower as well as in the higher grades of service?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No official record is maintained for this purpose.

(*b*) Four Hindu villagers who were Matrics have been taken into lower grade of service during the years 1991-92.

815. MR. WAJAD ALI SHAH (Kargil Tehsil :Muslim) : Is it a fact that the doctors posted to the Frontier Province do not go on tours for medical treatment and hence the public cannot receive benefit?

Will Government consider the matter?

THE HON'BLE MR. WAJAHAT HUSSAIN : There is no travelling dispensary attached to the Frontier Province, but the Assistant Surgeon posted in Baltistan is allowed to tour in country, whenever he can spare time from the duties at the dispensary.

816. CHOUDHARI ABDULLA KHAN (Jammu Wazarat : Muslim) : In reply to Q. D. No. 805 of the last Jammu Session, the Hon'ble Revenue Minister stated that a report has been called from the local Wazir-i-Wazarat and that on receipt of this report the Government would issue necessary orders. Will Government

please state what action has been taken to prevent wild beasts from causing loss? If no action has so far been taken, are any steps under the consideration of the Government to be taken in this matter? If so, when will they be taken?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Government has already reduced the land-revenue assessment of the villages surrounding the Badhial Rakh where wild beasts damage the crops of the zamindars. "Ujara" was taken into consideration at the time of last Settlement in fixing the village assessment.

The question of enclosing the Rakh with barbed wire was considered but found to be impracticable.

Free permits are being granted to the zamindars possessing registered guns to protect their crops against wild animals.

Last portion of the question does not arise.

CHOUDHARI ABDULLA KHAN : Are Government prepared to make a further reduction in the land-revenue?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This is a new question. Information regarding it was already supplied.

CHOUDHARI ABDULLA KHAN : The reduction in the land-revenue is not sufficient to make up for the damage to their crops.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This is quite sufficient. It was considered to be so.

Information promised in reply to the question serial No. 8 asked on 14th October 1935 by :—

817. KHAN MOHAMMED KHAN (Poonch :Muslim) : Will Poonch Administration please state the number of lives lost during the last ten years on account of the absence of bridges over Nullah Betar, Tehsil Haveli, Nullah Gain, Tehsil Sudhunuti and Nullah Mahal, Tehsil Bagh? What steps did Government take to remove this hardship?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : According to Police records the detail of the lives lost during the past ten

years in Nullahs Betar, Gain and Mahal is as follows :—

Nullah Betar (Tehsil Havcli)	...	36
,, Gain (Tehsil Sudhnuti)	..	3
,, Mahal (Tehsil Bagh)	...	16
Total	...	55

KHAN MOHAMMED KHAN : Will any bridges be constructed over them?

WAZIR FEROZ CHAND : Yes, when the road is constructed.

Information promised in reply to question serial No. 511 asked on 28th October, 1935 by :—

818. MAJOR ATTA MOHAMMED (Reasi :Muslim) : (*a*) Are Government aware that Serai Aliabad situate on the road running from Gujrat to Srinagar is in danger of falling down and if not repaired it will fall down and there will be left no place of refuge for the travellers in the dangerous journey over the Peer Panjal?

(*b*) If so, will Government please issue orders to the Divisional Engineer, Kashmir to repair Serai Aliabad and Lail-i-Ghulam for the benefit of the public so that this chief means of communication and trade route may not be closed?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) Repairs to Serai Aliabad will be executed during the current spring.

As regards Lail-i-Ghulam it is in a very dilapidated condition and past repairs.

MAJOR ATTA MOHAMMED : If it collapses, will the Kashmir route not be closed?

THE HON'BLE MR. WAJAHAT HUSSAIN : No, it will not.

MAJOR ATTA MOHAMMED : The matter must be considered.

THE HON'BLE MR. WAJAHAT HUSSAIN : I will see to it.

Information promised in reply to question serial No. 122 *asked on* 17*th March,* 1936 *by* :—

819 PANDIT GOBIND RAM KABU (Kashmir :Hindu) : Will the Government be pleased to state the names and emoluments of the Shastri and Visharad-passed teachers in Government employment?

THE HON'BLE MR. WAJAHAT HUSSAIN : The list is placed on the table.

Statement showing names and emoluments of Shastri and Visharad passed teachers in Middle and Primary Schools of Jammu Circle.

	Name.	Qualifications.	Pay.
1.	Pt. Jagan Nath	... Shastri.	20
2.	Pt. Labad Ram	... Visharad.	36
3.	Pt. Lachmman Dass	... ,,	30
4.	Pt. Som Nath	... ,,	30
5.	Pt. Ram Kishen	... ,,	20
6.	Pt. Beshamber Nath	... ,,	30
7.	Pt. Amar Nath	... ,,	30
8.	Pt. Sri Nawas	... ,,	30
9.	Pt. Ganesh Pati	... ,,	30
10.	Pt. Shiv Nandan	... ,,	30
11.	Pt. Pitamber Nath	... ,,	21
12.	Pt. Ram Chand	... ,,	20
13.	Pt. Dawarka Nath	... ,,	21
14.	Pt. Hari Ram	... ,,	20
15.	Pt. Ishwar Datt	... ,,	20
16.	Pt. Hari Saran	... ,,	20

Names and Emoluments of Shastri or Visharad passed Teachers in Middle and Primary Schools of Kashmir Circle.

Name of Schools.	Names of Teachers.	Qualifications.	Pay.
	MIDDLE SCHOOLS		Rs, a. p.
1. S. P. Middle School .	Pt. Sodharshan ...	Shastri ...	36 0 0
2. Rughnath Mandir ..	Pt. Natha Ram ..	Do. ..	24 8 0
3. Babapura Middle School..	Pt. Nila Kanth ...	Visharad...	21 0 0(20-1½-35)
4. Rangteng do.	Pt. Shambu Nath ...	Do. ...	21 0 0(20-1-25)
5. Badamibagh Lower Middle School.	Pt. Vasdev Razdan ...	Do ...	21 8 0(20-1½-35)
6. Baramulla Middle School	Pt. Radhakishan ..	Do ...	21 8 0 Do.
7. Ichhigam Lower Middle School.	Pt. Gobind Bhat ...	Do. ...	21 0 0 Do.
8. Sallar Lower Middle School	Pt. Pitember ...	Shastri ...	21 0 0(20-1-25)
9. Bijbehara Lower Middle School,	Pt. Ram Chand ...	Visharad	21 0 0(20-1½-35)
10. Shopian Middle School ...	Pt. Vidhya Dar ...	Do, ...	20 0 0 (20-1-25)
11. Kulgam Middle School ...	Pt. Mahish Chandra ...	Shastri ...	30 0 0
12. Bandipura do. ...	Pt. Prem Nath ...	Visharad...	20 0 0 (20-1-25)
	PRIMARY SCHOOLS.		
1. Amirakadal ..	Pt. Lachhmi Chand ..	Shastri ...	20 0 0 (20-1-25)
2. Ganiatmanz ...	Pt. Natha Ram Likhari	Visharad ..	21 0 0 (20-1-25)
3 Ganeshghat ...	Pt. Vishwa Nath ...	Shastri ...	21 0 0 (20-1-25)
4. Tankipura ..	Pt. Baskar Chandra ...	Visharad ...	21 0 0(20-1½-35)
5. Vesu ...	Pt. Gopi Nath ...	Do. ..	21 0 0 (20-1-25)
6. Sagam ...	pt. Sarwanand ...	Do. ...	21 0 0 (20-1-25)
7. Verinag ..	Pt. Jia Lal ...	Do. ...	21 0 0 (20-1-25)
8. Khrew ...	Pt. Jia Lal ...	Do. ...	20 0 0 (20-1-25)
9. Mooran ...	Pt. Jagdish Chandar ...	Do. ...	21 0 0 (20-1-25)

SHORT NOTICE QUESTIONS.

LALA SHIV NATH NANDA : (*a*) Is it a fact that Mr. Lal has received warnings for his defective work from Mr. Wakefield, Minister-in-charge Silk Factory, Mr. Wattal, Rao Bahadur

Thakur Kartar Singh Ji, Mirza Sir Zafar Ali, Hon'ble Mr. Qayoom, Mr. V. N. Mehta and His Highness the Maharaja Bahadur?

(*b*) Is it a fact that in his Report Mr. Glancy too mentions a change of arrangements?

(*c*) Is it also a fact that Sheikh Mohammed Abdulla had submitted a written complaint to the Government against the management of the Silk Factory?

(*d*) If the answer be in the affirmative, will the Hon'ble Revenue Minister in view of all these warnings and complaints and the loss of thousands of rupees institute an enquiry and appoint an official committee of two members to investigate the matter.

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVIN (Prime Minister) : (*a*) It is regretted that information of this nature from the unpublished records of Government cannot be supplied to the member.

(*b*) The member is referred to page 45 of the Report of Glancy Commission.

(*c*) A written application was received from Mr. S. M. Abdulla but it complained only of the paucity of Muslims in the Silk Factory and prayed for the appointment of Muslims to certain vacancies.

(*d*) The appointment of a committee of enquiry is not considered necessary.

LALA SHIV NATH NANDA : While the questions were being answered yesterday or the day before, the Hon'ble Revenue Minister's reply to this question was no. The reply given today is that the information cannot be disclosed. This shows that it is a fact.

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVIN (Prime Minister) : That is not the question. It is a statement.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : No, he is coming to that. What more questions do you want to ask?

LALA SHIV NATH NANDA : Sir, this answer is not sufficient. The answer of this question is being kept secret.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The necessary reply has been given.

MIAN QURBAN AHMED (Kathua :Muslim) : 1. Is it a fact that His Highness the Maharaja Bahadur granted 200 acres of land as a reward to Ghasita and transmitted his commands to this effect from Dehli by registered post on 16th February, 1929 which commands were received here on 18th February, 1929.

(*b*) Is it a fact that in compliance with these commands the Hon'ble Revenue Minister ordered the grant of 60 Ghamaon of land only?

(*c*) If the answer be in the affirmative, why were the commands of His Highness not fully carried into effect?

2. Is this also a fact that on 30th August, 1934, Ghasita submitted an application in this respect?

(*b*) If the answer be in the affirmative, why has no action been taken in this respect?

3. Are Government prepared to take practical steps in this matter? If so, when will they do so? If not, why?

4. (*a*) Is this also a fact that the Government granted land measuring 124 kanals 12 marlas to Ghasita?

(*b*) If the answer be in the affirmative, in what connection the said land was granted to him?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : 1. (*a*) Specific commands of His Highness the Maharaja Bahadur for the grant of 200 acres of land to Ghasita are not forthcoming in spite of search that was practicable in the short time available.

(*b*) and (*c*) Do not arise.

2. (*a*) Yes.

(*b*) All applications for grant of Khalsa waste lands have to be dealt with under State Waste Land Rules and the local Revenue officers were asked accordingly to inform the applicant to proceed under the State Waste Land Rules.

3. Replies to the Member Praja Sabha's short notice questions Nos. 1 and 2 dispose of this question also.

4 (*a*) and (*b*) Relative records are being looked into and the

requisite information will be supplied to the Member Praja Sabha direct. The notice was too short for the requisite information being collected and supplied.

MIAN QURBAN AHMED : I have received the reply that the specific commands are not forthcoming. Will that person be punished for it?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : I made all possible efforts to trace them, despatched telegrams and sent a man also to the spot. The man will also be called and an enquiry made as to what was the order under which he was granted 200 acres of land. You can then ask about it.

CINEMATOGRAPH REGULATION AMENDMENT BILL.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Mr Ashai will now move that the bill to amend the Jammu and Kashmir Cinematograph Regulation XXIV of 1989 (Published in the Government Gazette No. 24*a* dated the 27th March 1936) be passed.

MR. GHULAM AHMED ASHAI (Nominated Official) : Sir, this bill was presented before the House on the 4th April 1936, when it was decided that the members should, if they so liked, send in their amendments to us. Pandit Ram Chandra Dobey and Mr. Kabu have sent in the amendments. Once of the amendments is, that the word "Council" should be substituted for the words "His Highness' Government" wherever they occur in the bill. The second amendment of Mr. Dobey is that the words "that in Section 7, Clause 6-A "consisting of official and non-official members" may be inserted after the words "Board of Censors" in the third line.

As regards the first amendment, it is submitted that the words "His Highness' Government" wherever they occur in a Statute mean the Council. This contention is merely academic and does not affect any change in the law.

Regarding the second amendment proposed to Section 7, I may point out that besides the Chairman and the Secretary the Board consists of 4 official members; two from Jammu and two from Kashmir.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You now move that it may be passed as amended.

MR. GHULAM AHMED ASHAI : I now beg to move that the Cinematograph Regulation Amendment Bill may be passed along with the proposed amendment that in Section 7, Clause 6-A, the words "including one non-official member from each Province" shall be inserted after the words "Board of Censors". This Board will have two non-official members amongst its personnel, one for the Kashmir Board and one for the Jammu Board. Hence I beg to move that the bill as amended be passed at once.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The motion to pass this bill along with this amendment has been made in this House and is now before you. Those in favour of the motion should please raise their hands.

(Hands were raised)

MR. GHULAM AHMED ASHAI : When the Board meets in Kashmir, it shall have one non-official member from Kashmir added to its personnel and when it meets in Jammu, it shall include one such member from Jammu among its personnel.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The bill is passed unanimously.

THE RIGHT OF PRIOR PURCHASE BILL.

NOTE.—The above bill was published in the Jammu and Kashmir Government Gazette No. 23-*b*, dated the 24th March 1936 for general information.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now the Hon'ble Revenue Minister will move that the Right of Prior Purchase Bill be taken into consideration at once.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Sir, during the last Srinagar Session of the Praja Sabha, the Government accepted the principle of pre-emption and appointed an Ad-Hoc Committee to redraft the provisions of the pre-emption law. The Committee consisted of the following members :—

1. Major General Rao Bahadur Thakur Janak Singh Ji,
2. Sheikh Abdul Hamid,
3. Colonel Sansar Singh Ji,
4. Pandit Ram Chandra Dobey,

5. Sardar Hari Singh,

6. Mian Ahmed Yar,

7. Moulvi Mohommed Abdulla,

8. Mr. Mohammed Afzal Beg,

9. Pandit Amar Nath Kak,

10. Khawaja Saif-ud-Din Shah, and

11. Myself as Chairman.

The bill drafted by the Ad-Hoc Committee is the greatest measure of common agreement arrived at by discussion in the Committee. The bill has been published in the Government Gazette No. 23-*b* dated the 24th March 1936 together with the report of the Ad-Hoc Committee and the minute of dissent. I now beg to move that this bill be taken into consideration at once.

PANDIT JIA LAL KILAM : Sir, I want to raise a point of order that this bill cannot be discussed in the House.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : That is my business, not yours.

PANDIT JIA LAL KILAM : But my business is to make a submission, Sir.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Yes, you can make a submission.

PANDIT JIA LAL KILAM : I draw your honour's attention to Section 27 of Regulation No. 1 of 1991. It lays down that :—

> "It shall not be lawful at any meeting of the Assembly to consider or enact any measure imposing any disability on any community as such".

Your honour will be pleased to see that the word "Community" has not been defined in this Regulation and therefore when we interpret the word "Community", we shall have to take its dictionary meaning. I draw your honour's attention to the meaning of the word "Community". I have taken this from Oxford Concise Dictionary that has been adapted by Fowler. Its meaning as

given there is :—

Firstly.—Organized political, municipal or social body ;

Secondly.—Body of men living in same locality and

Thirdly.—Body of men having a profession in common, such as a mercantile community.

Therefore if the meaning of the term "Community" is to be taken as given in the dictionary, then zamindars can come within the purview of the meaning of a community because the zamindars themselves have got a profession in common.

My submission is therefore that the word "Community" occurring in the Section covers the community of zamindars as well.

Now I come to the Right of Prior Purchase Bill and would submit as to whether this bill has imposed a disability on the zamindars.

"Disability" has been translated in the same dictionary as something that prevents one's doing something, especially legal disqualification.

The question is, is the Prior Purchase Bill going to impose a disability upon the zamindar community? The zamindars at this time have got unfettered power of sale but if they are prevented from making use of this power then it is distinctly a disability being imposed upon them as a community. By this Regulation, they will be prevented from exercising their right of sale to whomsoever they choose.

Under these circumstances, it cannot be denied that the zamindar community is being placed under a disability and therefore having regard for this section, I have referred to :—

"It is unlawful for this Praja Sabha to consider this Bill".

With all respects, I submit that this point of order of mine may be accepted.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) : Mr Kilam has raised the point of order.

He says that under Section 27 of the Regulation No. 1 of

1991, it is not lawful for this Praja Sabha to consider this motion and thereby to consider this bill because the bill by its provisions imposes a disability on a particular community. He desired to point out that a community would not only mean a racial community like Hindu or Mohammedan, but would also mean any group of persons jointly combined for any particular business or profession. According to him therefore, there would be an agricultural community also.

His second point is that a disability is imposed on the community because a zamindar by this bill is not permitted to sell his property to whom he likes when he likes and in what manner he likes. I disagree with both contentions. "Community" is obviously used in this sense to mean a racial community and not as the member has suggested, a mercantile community or an agricultural community.

Secondly there is no disability. A "disability" means prevention from doing an act. There is no disability to sell. There is no disability to fetch a market price. If a zamindar desires to sell his property, he is not prevented from selling except, of course, there may be other provisions of law already enacted under which he may be prevented. Nor is he prevented from getting whatever price he may desire.

This is a bill for prior purchase. The man who desires and puts forward a claim for prior purchase will be bound to pay the price which the zamindar may desire and there is nothing stated in the bill that the price would be less than the market price or less than what the zamindar is prepared to accept.

In this sense no disability is placed by the bill on any community and this point of order is not accepted.

Now the motion is that this bill be taken into consideration at once.

There are certain amendments proposed. They will have to be put in at this stage.

I will take up the amendments one by one.

PANDIT JIA LAL KILAM : I want to make a submission, Sir, that this bill may be referred to a Select Committee.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : We will take votes.

The Government puts forward that it should be taken into consideration at once. You say it should be referred to a Select Committee.

All right, those in favour of taking it into consideration at once will please raise hands.

(Hands were raised)

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Passed that the bill be taken into consideration at once.

Now there are amendments proposed by :—

1. Mian Ahmed Yar,

2. Mr. M. A. Beg,

3. G. M. Sadiq and

some amendments have been proposed by

1. Munshi Asadullah,

2. M. Abdur Rahim Bande,

3. Khawaja Safder Ali,

4. Khawaja Saif-ud-Din Shah,

and some by Mr. Kak.

I will take up the amendments one by one.

Chapter I Section 1.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The first amendment is that the word "Pre-emption" may be substituted for the words "Prior Purchase" occurring in the bill.

Votes upon the amendment were taken by show of hands and the amendment was rejected.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now we take up Mr. Kak's amendment to Section 2.

There is misprint in Section 2 (*iii*) and this sub-section should run as follows :—

> "All suits, appeals and proceedings pending at the commencement of this Regulation shall, so far as may be, be governed by the procedure laid down in this Regulation."

This amendment shall form part of the bill.

There is a misprint in it. It will be rectified. The matter calls for no discussion. Mr. Kak's amendment to this section will be taken up afterwards.

Now amendment No. 2 of the Conference Party will be taken up. Who is going to put in the amendment on your side?

MOULVI MOHAMMED ABDULLAH : Mian Ahmed Yar will move the amendment to Section 3.

MIAN AHMED YAR : The definition of the term "agricultural land" in Section 3 of the bill presented by the Hon'ble Revenue Minister restricted the definition of this term as given in the Alienation of Land Regulation. The definition given in the bills presented by me and Moulvi Mohammed Abdullah was borrowed from the Punjab Act. The definition of "agricultural land" as given in the Punjab Pre-emption Act runs thus :—

> "Agricultural land" shall mean land as defined in the Punjab Alienation of Land Act 1900 (as amended by Act I of 1907) but shall not include the right of a mortgagee, whether usufructuary or not in such lands."

But the Ad-Hoc Committee set aside this definition and adopted an extremely narrow one which excludes many matters and thus defeats to a large extent the object of the pre-emption law. I would also like to point out that the members opposed it even in the Ad-Hoc Committee but the motion was carried only by the casting vote of the Hon'ble Chairman. The definition of "agricultural land" as given in the bill presented by Moulvi Mohammed Abdulla and myself runs thus :—

> "Agricultural land" shall mean land as defined in the Punjab Alienation of Land Act 1900, (as amended by Act I of 1907) but shall not include the right of a mortgagee whether usufructuary or not in such land".

Land as defined in the Regulation covers all these things. This definition is given in the Punjab Pre-emption Act. This is the object that underlies the law of pre-emption. With this object in view, the Conference Party brought forward this measure and the Hon'ble Prime Minister gave an assurance on behalf of the Government to the House during the last session that the provisions of the bills standing in my name and in the name of Moulvi Mohammed Abdulla shall be redrafted. In this connection, a deputation waited upon the Hon'ble Prime Minister, the Hon'ble Home Minister, the Hon'ble Judicial Minister and the Hon'ble Revenue Minister and discussed the matter with them and during the negotiations an understanding was given that a Committee will be appointed to redraft the bills submitted by Moulvi Mohammed Abdulla and Mian Ahmed Yar. The bill now brought forward restricts the powers of the zamindars to alienate land. Similarly the second point is, that the definition of land in Section 2, Clause (3) narrows down the definition of this term as it stands in the Alienation of Land Regulation, and defeats the very object of the law of pre-emption. The Conference Party has no communal policy inasmuch as all the zamindars of Jammu and Kashmir stand in need of it and their protection is absolutely necessary and called for. A study of the conditions in Basohli, Kathua, Ramnagar, Udhampur and Bhadarwah will reveal how sad is their plight in those Illaqas. The condition of the Poonch zamindars is as miserable as that of their brethern in Kashmir and they are unable to protect themselves.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : If you are so fond of talking, it will not finish in a week.

MIAN AHMED YAR : I have explained the policy. As this amendment is of vital importance, it was essential to explain the policy of this measure.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You may go on but that is the method of procedure I want to adopt. If you are going to argue at length you must argue all the points at olice.

MIAN AHMED YAR : I am not going to take much time.

MR. PRESIDENT (The Hon'ble Sir Barjor Daial Kt.) : You cannot discuss this amendment at length. I will put the amendments to the vote separately.

MIAN AHMED YAR : I would like to submit that this amendment has a special importance. The restricted character of this

definition will to a large extent defeat the object of this measure. Therefore the definition as given in the Land Revenue Regulation should be adopted in this measure also so that it may be an exhaustive one covering everything.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have moved nothing about Land Revenue Regulation.

MIAN AHMED YAR : I told it, Sir.

PANDIT AMAR NATH KAK : First of all, I wish to draw the attention of the House to the fact that the statement of my learned friend that an assurance was given to consider the bill verbatim is far from truth. The Hon'ble Prime Minister has in interpreting it explained that the Ad-Hoc Committee would redraft the provisions of this bill. Through you, Sir, I would like to draw the attention of the Government to the declaration which was to the effect that the Government would support the bill hammered out in the Ad-Hoc Committee by a majority of votes. I submit that so far as the majority report is concerned . . . . . .

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVIN : Sir I raise point of order. I have never stated the word majority in my speech. But I have stated that the Government has no objection to the principle which underlie the right of pre-emption but they are unable to accept. The bill now sought to be introduced, the drafting of which is not in the opinion of the Government either well conceived nor in consonance with the needs of the situation.

PANDIT AMAR NATH KAK : The words are clear in interpretation :—

> "All that the Government desire is that the Committee should hammer out a bill, by a majority of votes and such a bill will be supported by the Government."

Now, I submit that the Government attitude should be to support the Ad-Hoc Committee Report. Secondly an objection has been put forward that the definition adopted here is different from that in the Punjab. In view of the conditions obtaining here in the State, the definition of "agricultural land" was borrowed from the Tenancy Regulation. The definition referred to cannot be made applicable here inasmuch as the structures and residential houses etc. cannot be included within the term "agricultural land." It is pointed out that it cannot include the sale of floating areas. I submit that our Regulation covers all such cases. Now the advo-

cates of this amendment urge that the definition incorporated by them in their drafts should be adopted in the Government Bill.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) : Agricultural land will mean land as defined in Jammu Land Revenue Regulation but shall not include right of a mortgagee, whether usufructuary or not in such land.

Amendment passed by 26 to 44.

The following amendment will form part of the Bill :—

"Agricultural land means land as defined in the Jammu Alienation of Land Regulation of 1990 but shall not include the right of a mortgagee whether usufructuary or not in such land."

Next Amendment.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) : We shall take up the next amendment. "Add the following as clause (*c*) in Section 14 of the bill :—

Section 14 (*c*).—If a person having a right of prior purchase under clause (*a*) and (*b*) does not exercise it, the right shall vest :—

Firstly.—In the owners of agricultural land in the Mahal wherein such agricultural land or property is stituate, if such owners are permanent residents of the Mahal ;

Secondly.—In the tenants having a right of occupancy in such property or agricultural land ;

Thirdly.—In the tenants having a right of occupancy in any agricultural land in the Mahal, within the limits of which such agricultural land or property is situate.

Mirza M. A. Beg : Sir, the object of this amendment is that the same right of pre-emption should exist in towns as in villages. This amendment existed in the original bill also but on an objection taken by the chairman of the Select Committee, it was not recorded despite persistent requests.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) : Those in favour of the amendment should please raise their hands.

PANDIT AMAR NATH KAK : In consultation with Mr. Dobey and under his instructions, I would like to submit that this had made it clear that the Government is not prepared to support the Ad-Hoc Committe Report. I agree with Mr. Dobey that we will not participate in the voting in this House.

MIRZA M. A. BEG : When during the last session this bill was sought to be introduced in the House, the Government opinion was against us. Even then we walked out as a protest against it and the amendment was moved in our absence. When at that time this procedure was applied, there seems no reason why it should not be followed now. Why is the Government taking a different attitude now

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What are you talking?

MIRZA M. A. BEG : I submit that on Mr. Kak's statement that they will not participate in the voting, the House felt stunned without reason.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : A new situation has been created. Should not the Government consider the matter.

PANDIT LOK NATH SHARMA : The position was that the Government did not let the people know with regard to the first amendment, simply as President you said the votes may be taken. We would like to know the opinion of the Government before the votes are taken. Of course we knew that the Government is opposing the amendment.

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVIN : I am quite prepared to clear the position of the Government on each amendment, if it is so desired.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : I think it will be better that on every amendment Government must make its position clear.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : There may be such amendments of the Mohammedan Party which the Government may not like to be passed. You cannot rush to the voting at once. It alters Government's position when they say they would not vote. A certain number of people will go out.

Mr. Kak, I do not think it is the right attitude that you have taken. You have not set up a good precedent. (On Mr. Kilam's getting up to speak) I do not want fuel to be added to fire.

NOTE.—Hon'ble President postponed the sitting at this stage when there were only five minutes to 1 P. M. to consider the situation created by Mr. Kak's statement.

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVEN : I wish to make a statement to the House about the position of the Government. Government did not make the statement earlier because we do not wish to influence the vote of the House. But as the member wish to know what the attitude of the Government is, I would like to say that the Government will support only two amendments proposed by some Mohammedan members to Section 14 namely, that under Section 14, a new clause, shall be added as (*c*) *i. e.*

"If a person having a right of prior purchase under clause (*a*) and (*b*) does not exercise it, the right shall vest :—

Firstly.—In the owners of agricultural land in the Mahal wherein such agricultural land is situate, if such owners are permanent residents of the Mahal ;

Secondly.—In the tenants having a right of occupancy in such property or agricultural land.

The Government intend to oppose all other amendments proposed by whatever party.

COLONEL ABDUR RRHMAN : It should be explained to us in Urdu. We could not make out anything.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Why are you so impatient? Everybody knows that you are not acquainted with English. The Hon'ble Revenue Minister will just now explain it to you in detail.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The Government did not explain its position earlier lest it should influence the vote of the House and should be taken to mean that Government is convassing for votes. But as the members themselves desire that Government should make its position clear, it is stated for the information of the House that the Government will oppose all the amendments proposed except two in Section 14 and these two amendments which have been proposed by some Mohammedan

members and which will be supported by the Government are :—

That to Section 14, clause (*c*) shall be added after clauses (*a*) and (*b*) as follows :—

"*Section* 14 (*c*).—If a person having a right of pre-emption under clauses (*a*) and (*b*) does not exercise it, the right shall vest :—

Firstly.—In the owners of agricultural land in that Mahal wherein such agricultural land or property is situate if such owners are permanent residents of the Mahal ;

Secondly.—In the tenants, having a right of occupancy in such property or agricultural land.

The Government will oppose all other amendments.

MOULVI MOHAMMAD ABDULLAH : Nothing has been stated as regards the third paragraph of the amendment. Will Government oppose it.

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVIN : It is necessary that the consequential amendments will necessarily havet to be accepted.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The amendment to Section 16 will necessarily follow as a consequence of the first amendment.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Shall I take up the amendments one by one?

NOTE—(The House agreed)-

As regards the amendment to Section 3 sub-section 3, it has been contended that urban immovable property within the limits of a town "other than agricultural land". Therefore in Section 3 sub-section 3, the words other than agricultural land be added at the end. section 3, the words other tan agricultural land be added at the end. The Government will oppose this amendment.

(To Mian Ahmed Yar) Do you want to say something?

MIAN AHMED YAR : As Mr. Beg has moved this amendment, I only second it.

Vote was taken by show of hands and the amendment was rejected by the House.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now I take up the next amendment.—

"In section 7, the words beginning with "or in respect" and ending with "Regulation 1990" occurring at the end be deleted.

MIRZA M. A. BEG : We withdraw this amendment.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I ask for the permission of the House.

The amendment was withdrawn with the permission of the House.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now comes the important amendments. As regards the amendment to Section 14, the Government will, as already stated, support the first and second part of it but will oppose the amendment contained in the third part.

MOULVI MOHAMMAD ABDULLAH : The third proposal is not a new thing. The Government has accepted the principle of pre-emption. As the law stands in the Punjab, a tenant who is a permanent resident in a village or Mahal, where the right of pre-emption exists, is deemed to be a member of the agricultural class in that village. I submit that the object of the law of pre-emption is that the land should not pass out of the hands of the agriculturist class. Similar are the conditions obtaining in the Punjab.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You go on talking of the Punjab. The right vests in the occupancy tenants. But you contend that this right should be extended to all the tenants in the Mahal.

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVIN : The Government accepted the principle of pre-emption, not the details of the Punjab Act.

MOULVI MOHAMMAD ABDULLAH : The principle is that the owners of agricultural land in the Mahal should have a right.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This

does not refer to "Malikan Arazi". The owners of agricultural land shall certainly have a right.

MOULVI MOHAMMAD ABDULLAH : There is no reason for depriving the occupancy tenants in the Mahal of this right. I will briefly submit that if the third sub-clause is rejected, the principle of pre-emption will stand violated. The principle of pre-emption is established only when this sub-clause is also accepted. The principle should be accepted in its entirety. It is not proper at first to accept the principle and then to break it into pieces.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I will take vote for "firstly" and "secondly" now.

PANDIT RAM CHANDRA DOBEY : Moulvi Sahib has contended that the rights of pre-emption should vest in the owners of agricultural land in the Mahal within which such land is situate only, if they are permanent residents in the Mahal. Moulvi Sahib himself resides in the city. If he wants to purchase land, he will himself feel inconvenienced.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Moulvi Sahib does not care for himself. (Laughter)

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : I think there is great force in what Pandit Ram Chandra Dobey says. There are proprietors who cannot live in two villages.

MOULVI MOHAMMAD ABDULLAH : The real object, as it is intended by His Highness is that the transfer of proprietary rights must be attended with safeguards. Law is based on principles. One or two instances are not sufficient for framing a law which infringes upon the general condition of the country. If any zamindar owns land in two villages, that fact would in itself be a rare instance to suffice for the purpose. I submit that the word "permanent" is essential inasmuch as the residents of cities and towns have Government service, ply trade and also own a little land in the village. Any pre-emption in their favour would be useless for that would mean that they would be able to purchase land in the villages too. I submit that if this word is omitted, the law would be ineffective. This is the contention. Hence the word 'permanent' is essential.

PANDIT AMAR NATH KAK : I submit, Sir, that in Kashmir there are proprietors who own land in different villages. Their possessions vary from ten to fifteen kanals scattered over different

villages and the proprietor has his residential house in one village. I submit for instance, that in the vicinity of Srinagar are four villages Rawalpur, Bahama, Chadru etc. More than half of the zamindars in these villages own land in all the four villages. They reside in one village only but own land in all the four villages. The amendment moved is, I submit, not based on sound principle.

SHEIKH ABDUL HAMID (State Councillor) : I beg to draw your attention to the words 'permanent residence' . When the law is framed, the object behind is to make prospective provision for all contingencies and possibilities likely to arise subsequently. As Moulvi Mohammad Abdullah thinks there would be very few instances in which the fact of permanent residence would be wanting, I think that it does not behove Moulvi Sahib to make this statement. The object of the law is to provide for all possibilities to come. Many a proprietor is such as have their permanent residence in a town or a village but own land in other villages. If a person is serving in a distant place, should he be deprived of the right of pre-emption. I submit that he should enjoy this right no matter whether he resides in a village or not. I add that a major portion of the population of the State has to go out to distant places in search of service or other occupation.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : So far as I have observed in U. P., I say there are many Mahals where there is no habitation at all.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Such villages are called uninhabited villages.

SHEIKH ABDUL HAMID : Here too we have many such villages which are uninhabited. No one resides there nor is there any house. Moreover I submit that this would reflect badly on the Alienation of Land Regulation also which would also need an amendment. Hence I submit that the words " permanent residents of the Mahal" are unacceptable.

PANDIT LOK NATH SHARMA : The Conference Party has cited the instance of the Punjab. I admit that this principle has been accepted in the Punjab. Section 15 clause (*c*) of the Punjab Pre-emption Act runs :—

> "In the owners of the Patti or other such division of the estate within the limits of which such land or property is situate,"

There is no such clause in the Punjab Act which lays down :—

"If such owners are the permanent residents of the Patti".

I submit there is no such controversy. If the recruitment of the zamindars in services increases they will be deprived of their right of pre-emption. Hence I submit that these words be omitted.

MIRZA M. A. BEG : Sir, I would like to draw attention to one point namely that the omission of these words 'permanent residence' would be an indirect encouragement to the absentee landlords. The present tendency is towards the economic principle that land for its own interests should remain in the hands of those who cultivate it. It is for these reasons, I submit, that this amendment has been moved.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You might have understood that the amendment is, that right of pre-emption should vest in the owners of agricultural land whether residing within or outside the Mahal.

PANDIT AMAR NATH KAK : This amendment is supported by the majority.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : As it is passed by the majority there is no need for putting it to the vote.

The following amendment is accepted :—

"in the owners of agricultural land in the Mahal wherein such agricultural land is situate."

Now vote will be taken on this part only, "if such owners are permanent residents of the Mahal".

Votes were taken and this portion of the amendment is lost by 47 votes to 25.

The following amendment shall form part of the bill :—

"If a person having a right of pre-emption under clauses (*a*) and (*b*) of this section does not exercise, the right

shall vest :—

wherein such agricultural land or property is situate.'2

Secondly.—In the tenants having a right of occupancy in such property or agricultural land".

PR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I take the majority in favour of the second.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now the sub-clause beginning with "thirdly" will be taken up.

Thirdly.—"In the tenants having a right of occupancy in any agricultural land in the Mahal within the limits of which such agricultural land or property is situate".

MIRZA M. A BEG : What led the Government to make a promise that it will support two amendments, and oppose one?

MR PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What can the Government do. The Government voted for it.

MIRZA M. A. BEG : Had Government voted for it, there was no reason why it should have been defeated.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Government does not know. The Muslim members might not have voted for it.

MOULVI MOHAMMED ABDULLAH : We have misunderstood. When Government is in sympathy with two amendments, what will be the result of voting then?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Well, we shall see what is its result. You may discuss the matter. (Laughter)

MIRZA M. A. BEG : I regret that every matter which we urge is laughed away. Moulvi Sahib rightly asked why the Government voted against when it had declared its agreement with the proposal.

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVIN (Prime Minister) : There are only elven Government votes. I did not try to influence the House. There are 46 votes to 25.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The Government did not ask the House whether it accepted it or not.

SARDAR BUDH SINGH : When Government had at first stated that it accepted the first two sub-clauses, where was the necessity of voting? The words "owners of agricultural land" should here mean the owners residing in the Mahal.

MIAN AHMED YAR : I declare on behalf of my party that the Government not having stood by its assurance our Conference Party will only continue sitting and will not take part in the proceedings.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : All right. If you do not vote, you would not succeed.

MIRZA M. A. BEG : The Councillors are with the Government in the House. They have never voted against the Government. In a motion on the Land Alienation Bill the Government opposed us and all the State Councillors voted against us. We want to know what State Councillors have voted against us.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Well you may do what you like. No more amendment sent in by you will be moved. I will move that Mr. Kak's amendments may not be moved.

(Mr. Beg got up)

Mr. Beg : Let matters go on smoothly. There is no call for you to speak.

MIRZA M. A. BEG : I want to ask which of the Government members have voted with us.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The rules do not provide this. The motion before the House is that clauses 16 (*c*) and (*d*) may be taken into consideration.

The motion is accepted.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Mian Ahmed Yar, you have got much but still you are not grateful. The Government wants it or not, you have got much.

MIRZA M. A. BEG : We walk out.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : All right.

NOTE.—The Conference Party walked out at this stage. Sardar Budh Singh also followed the party.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : (addressing the Hon'ble Revenue Minister) : You move that the bill be passed.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Sir, I beg to move that the Prior Purchase Bill be passed along with its amendments.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Those in favour of the motion should please raise their hands.

The bill is passed by show of hands.

NOTE.—The President then read the order of prorogation as below in English and Urdu :—

Under Section 20 of Regulation No. 1 of 1991, We hereby command that the Jammu Session of the Jammu and Kashmir Praja Sabha do staud prorogued until such date as shall be hereafter fixed by us.

(Sd.) HARISINGH,

MAHARAJA,

G. C. S. I., G. C. I. E., K. C. V. O., A. D. C.

The fourth session of the Praja Sabha came to an end and the Praja Sabha was prorogued.

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